A NEW HISTORY OF ENGLAND,

FROM THE

DESCENT of the ROMANS,

TO THE

DEMISE of his late Majesty, GEORGE II.

INSCRIBED TO

His present Majesty, GEORGE III.

By WILLIAM RIDER, A. B.
Late of *Jesus College, Oxford.*

HISTORY *is philosophy teaching by examples.*
Bolingbroke *from* Dion. Hali.

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BRITAN
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THE

History of ENGLAND.

The HISTORY of CHARLES II. continued. A. D. 1679.

THE members of the laſt parliament had been ſtrongly ſuſpected, and even openly accuſed, of corruption; and the preſent repreſentatives lay under the ſame imputation. A ſtrict ſcrutiny was made into

a matter which reflected ſuch diſgrace upon that aſſembly; but it appeared upon enquiry, that the complaint was almoſt entirely groundleſs. Sir Stephen Fox, paymaſter, acknowledged to the houſe, that nine members were gratified with penſions, to the amount of three thouſand four hundred pounds: and after a very rigorous ſearch by a private committee, eight more penſioners were diſcovered. Soon after the ſtanding army and the king's guards were voted by the commons to be wholly illegal.

Arbitrary impriſonment is a practice, which, in a greater or leſs degree, prevails in almoſt every government, except in that of Britain; and our abſolute ſecurity againſt this grievance, we owe to the efforts of the preſent parliament: a circumſtance, which will for ever endear its memory to every lover of civil liberty. The Great Charter laid the foundation of this valuable privilege; the Petition of Right confirmed and enlarged it; but many improvements were ſtill neceſſary to render it compleat, and to prevent any oppreſſion from miniſters and judges. The act of *Habeas Corpus*, paſſed this ſeſſion, anſwered all theſe excellent purpoſes.

This act ordained, that no perſon ſhould be ſent priſoner beyond ſea: that no judge, under

under the ſevereſt penalties, ſhall refuſe to any priſoner a writ of *Habeas Corpus*, by which the goaler is required to produce in court the body of the priſoner (whence the writ has its name) and to certify the cauſe of his commitment and detainer: that, if the goal lie within twenty miles of the judge, the writs be obeyed in three days; and ſo proportionably for greater diſtances: that every priſoner be indicted the firſt term after his commitment, and brought to trial in the ſubſequent term; and that no man, after being diſcharged by order of court, be commited anew for the ſame offence.

The king had obſerved, in his ſpeech to the parliament, that his revenue was burthened with many anticipations; that thoſe branches, granted in 1669 and 1670, would ſoon expire; and that the fleet was in a very decayed condition, and ſtood in need of immediate repairs. The commons, however, before they would agree to ſupply his neceſſities, reſolved to extort his conſent to the Excluſion bill, as well as to the diſmiſſion and puniſhment of all thoſe miniſters who had incurred their diſpleaſure. Nevertheleſs, as they were extremely jealous of the army, they granted the ſum of two hundred and ſix thouſand pounds, which

had been voted for diſbanding it by the laſt parliament.

Meanwhile, the impeachment of the five Popiſh lords in the Tower, together with that of the earl of Danby, was proſecuted with great vigour. The power of that miniſter, and his influence with the king, expoſed him much to the reſentment of the commons; and they imagined, that, if driven to extremity, he would diſcloſe the ſecret of the French alliance, which they believed to be equally diſhonourable and dangerous to the kingdom. The king on his ſide, apprehenſive of the ſame conſequence, exerted his whole intereſt in defending his miniſter, and in ſupporting the validity of that pardon, with which he had been pleaſed to indulge him.

The lords appointed a day for the diſcuſſion of this queſtion, and propoſed to hear council on both ſides: but the commons refuſed to agree to ſuch an expedient. They voted, that whoever ſhould preſume, without their permiſſion, to maintain before the houſe of peers the validity of Danby's pardon, ſhould be deemed a betrayer of the liberties of the Engliſh commons: and they required, that the biſhops, whom they knew to be attached to the court, ſhould withdraw, not only when the trial of the earl

earl ſhould come on, but alſo when the validity of his pardon ſhould be examined.

The lords aſſerted the right of the biſhops to vote in all caſes, but thoſe of blood. The commons inſiſted on their former demand: and thus a quarrel enſuing between the two houſes, the king began to entertain thoughts of finiſhing the ſeſſion by a prorogation. To this reſolution he was farther prompted by the intelligence, which he received, that the commons were preparing to frame a remonſtrance, in order to ſtigmatize his councils and his conduct. He haſtened therefore to execute his intention, without conſulting his new council, by whoſe advice he had promiſed to be guided in all his meaſures. Without the advice of the council likewiſe, he ſoon after diſſolved the parliament, and iſſued writs for convoking a new one.

During the interval, the five Jeſuits, Whitebread, Harcourt, Fenwick, Gawen, and Turner, were brought to their trial at the Old Bailey. The witneſſes againſt them were Oates, Prance, Bedloe, and Dugdale, a new evidence. Oates depoſed, that the grand conſult of the twenty-fourth of April, 1678, was held by order of Whitebread, the provincial; who, together with Fenwick, Harcourt, and Turner, ſigned, in the depo-

deponent's preſence, the reſolution of killing the king: that Whitebread, after his return to St. Omer, frequently ſaid, "that "he hoped to ſee the black fool's head at "Whitehall laid faſt enough; and if his "brother ſhould appear to follow his foot-"ſteps, his paſſport too ſhould be ſoon "made out:" that in the month of July, Aſhby, a prieſt, brought over inſtructions from Whitebread, for offering the ſum of ten thouſand pounds to Sir George Wakeman, to engage him to poiſon the king; as alſo a commiſſion for Sir John Gage, empowering him to be an officer in the army which they intended to raiſe, which commiſſion was delivered to Sir John by the hands of the deponent: that with regard to Gawen, though he could not poſitively ſay, that he ſaw him at the conſult, he yet ſaw his hand ſubſcribed to the reſolution: that in July 1678, the priſoner came to London, where he gave his confederates an account of the proſperous ſituation of their affairs in Staffordſhire and Shropſhire; adding, that the lord Stafford was very active; that two or three thouſand pounds were already collected for the purpoſes of the plot; and that he afterwards heard him relate the ſame circumſtances in father Ireland's chamber.

Prance

Prance ſwore, that as Harcourt was one day paying him for an image of the Virgin Mary, he told him, that there was a deſign formed for killing the king: and that Fenwick aſſured him in Ireland's chamber, that they would ſoon have an army of fifty thouſand men, in order to eſtabliſh their religion; and that their forces were to be commanded by the lords Bellaſis, Powis, and Arundel of Wardour.

Bedloe's evidence was to the following effect: that he had ſeen Whitbread and Fenwick at ſeveral conſults concerning the plot; and that he had heard Whitebread, at Harcourt's chamber, inform Coleman of the manner of ſending the four ruffians to Windſor to murder the king: that he had ſeen Harcourt take out of a cabinet eighty or a hundred pounds, which he gave to a meſſenger to carry to the ſaid ruffians, together with a guinea to the meſſenger, to drink Mr. Coleman's health: that Whitebread told him, that Pickering was to have a certain number of maſſes, and Grove fifteen hundred pounds for aſſaſſinating the king: that Harcourt employed him ſeveral times to carry the deliberations of the conſpirators to the Continent: that, in Harcourt's preſence, he received Coleman's thanks for his fidelity; and that the former recom-

recommended him to the lord Arundel, who promiſed him great favour, when the times ſhould be altered: that he ſaw Harcourt give Wakeman a bill for receiving two thouſand pounds, in part of a greater ſum: and that had heard Sir George ſay, "that fifteen thouſand pounds was a ſmall "reward for the ſettling religion, and "preſerving the three kingdoms from "ruin."

Dugdale depoſed, that he ſaw a letter under Whitebread's hand to father Evers, a jeſuit, confeſſor to the deponent; in which he ordered him to be ſure to chuſe men that were reſolute and truſty; and that the ſame letter imported, that theſe men were to be employed in the deſign of killing the king: that Gawen had engaged the deponent to be one of the conſpirators for murdering the king; concerning which project they had ſeveral conſultations in the country; particularly at Boſcobel and Tixall in September 1678: that, in theſe conſults, he heard it mentioned as the advice of the monks of Paris, who were to aſſiſt in the conſpiracy, "that "as ſoon as the deed was done, they ſhould "lay it upon the Preſbyterians, and by that "means provoke the other Proteſtants to cut "their throats:" that the deponent himſelf was ſo zealous in the cauſe, that he had contributed

tributed the ſum of four hundred pounds for carrying on the deſign; which Gawen told him was not only lawful but even meritorious; and that he was to be ſent up to London by Harcourt, there to be inſtructed in the deſign of killing the king: that the ſame Harcourt wrote a letter to father Evers, acquainting him with the murder of Godfrey, the very night on which it was committed; ſo that they knew of it in Staffordſhire ſeveral days before it was diſcovered in London:* and that he ſaw Turner, with others at Ever's chamber; where they had a conſultation about proſecuting the deſign of killing the king, ſubverting the government, and introducing the Popiſh religion.

Beſides theſe evidences, there was found, among Harcourt's papers, a letter from one Petre, a jeſuit, mentioning the grand conſult held on the twenty-fourth of April 1678. This letter was conſidered as a corrobation of Oates's evidence with regard to that conſult. It was alledged, that the letter related only

* This part of his evidence was confirmed by one Mr. Chetwin, a gentleman, who ſwore, that he heard the report current in the country as coming from Mr. Dugdale; and that, had he been in London when the murderers of Godfrey were tried, he would have given the ſame evidence. *State Trials, Tom. II. p.* 838.

only to a triennial meeting about the choice of a procurator to be ſent to Rome: but the court ſeem to have regarded this explanation as a mere evaſion.

The defence of the priſoners was various and long. They endeavoured to invalidate the evidence of the witneſſes, by repreſenting it as improbable and even contradictory. They produced ſixteen witneſſes from St. Omer, who ſwore, that, during the months of April, and May, and the greateſt part of June, 1678, Oates was at that ſeminary; that they ſaw him every day, and converſed and dined with him; that he was never out of the college, except two days and one night when he was at Watton, and two or three days when he was in the infirmary; and that conſequently he could not be at the conſult on the twenty-fourth of April. In anſwer, however, to theſe depoſitions, Oates produced ſix witneſſes, who ſwore, that they ſaw him in London about that very time; and, what, perhaps, was deemed of more conſequence by the jeſuits, an old Dominican friar, ſtill of that church and order, depoſed that he ſaw Oates in England, and ſpoke with him about the time mentioned.

The priſoners ſeemed to lay great ſtreſs upon the unhappy ſuſpicion, which the Catholics

tholics had incurred of making uſe of mental reſervations in their oaths; on which account, they apprehended, the leſs credit was given to their evidence. The chief juſtice told them that they had no reaſon to complain in that particular; ſince the depoſitions of all their witneſſes were received by the court without ſcruple; and that it belonged to the jury to give ſuch a verdict as to them ſhould ſeem moſt juſt and reaſonable. The reſult was, that they were all brought in guilty of high treaſon; but their ſentence was delayed till next day, when Richard Langhorn, a counſellor of the Temple, and an agent of the Papiſts, was brought to his trial. The evidences againſt him were Oates and Bedloe.

The former depoſed, that the priſoner correſponded with La Chaiſe and others, and that the deponent carried ſeveral of his letters to perſons beyond ſeas; in one of which he ſaw under his own hand, words to this effect: that the parliament began to flag in promoting the Proteſtant religion, and that now the Catholics had a fair opportunity of giving it a mortal blow; with many other expreſſions of a like import, relating to the plot: that he had orders from Whitebread, the provincial, to give Mr. Langhorn an account of the reſolution

of the great conſult in April 1678; and that, upon acquainting him with it, the priſoner lifted up his hands and eyes, "and prayed to God to give it good ſuc-"ceſs:" that he ſaw in his chamber ſeveral commiſſions, which they called patents; and that he was allowed to peruſe ſome of them: one was to the lord Arundel of Wardour, to be lord chancellor; another to the lord Powis, to be treaſurer; another to the priſoner, to be advocate of the army; all of them ſigned by Paulus de Oliva, general of the jeſuits, in virtue of a brief from the pope: that the priſoner, being employed as a ſolicitor for ſeveral fathers of the ſociety, prevailed upon the Benedictine monks to raiſe ſix thouſand pounds for carrying on the plot; and ſaid, in the deponent's hearing, "that he would do his utmoſt for "procuring the money;" that he was diſguſted with Sir George Wakeman for not being contented with ten thouſand pounds to poiſon the king, and called him "a nar-"row-ſpirited and narrow-ſouled phyſician; "who, for ſo public a cauſe, ought to "have done it for nothing."

Bedloe ſwore, that going with Coleman to the priſoner's chamber, the former gave him his letters to father la Chaiſe, the pope's nuncio, and others, to regiſter in a book kept for

for that purpoſe: that theſe letters being open, the deponent read them, and ſome of the expreſſions intimated, "that they "waited only to know, how far he had "ſucceeded with the French king for the "ſending of money; for they only wanted "money, all other things being ready; "that the Catholics of England were in "great credit; that places and offices had "been beſtowed upon them; that all "the gariſons either were, or would ſoon "be in their hands; and that they had "now a fair opportunity of effecting their "deſigns, as they were bleſſed with a king, "who was ſo ready to believe whatever "was ſuggeſted to him by the Catholic "party:" that he brought other letters from Harcourt to Langhorn to be regiſtered; one of which was for the rector of the Iriſh college at Salamanca, importing, that the lord Bellaſis, and the other Popiſh lords concerned ſhould be in readinſs; for that they had ſent ſome Iriſh diſbanded ſoldiers, with many lay-brothers, under the character of pilgrims, from St. Jago, who were to embark at the Groyne, and to land at Milford-haven, where they were to join the lord Powis.

Langhorn, beſides the moſt ſolemn proteſtations of innocence, alledged, that Oates

and Bedloe could not be admitted as legal witneſſes; that the previous pardon, which they had obtained, and the large penſions which they now enjoyed, could only be conſidered as bribes to induce them to be guilty of perjury in condemning others. The judge obſerved, that theſe indulgences, however exceptionable, were never the leſs indepenſably neceſſary; in as much as without them no conſpiracy could ever be diſcovered. In concluſion, the jury brought him in guilty; and he received ſentence of death, together with the five Jeſuits, who had been tried the day before. Soon after they were executed on the twentieth of June, and continued to the laſt to proteſt their innocence. Whitebread, in particular, declared his abhorrence of all equivocation, and of the maxim adopted by ſome Jeſuits, that it is lawful to commit the moſt wicked actions in order to promote a virtuous end.

It muſt be acknowledged, that the evidence, produced againſt theſe perſons, was extremely imperfect, and even liable to inſuperable objections; but the faſhion of the times run ſtrongly againſt the Catholics; and the ſlighteſt preſumptions were then conſidered as indiſputable proofs. That there was any ſettled deſign to murder the king

king ſeems very improbable: that there was a plot formed for ſubverting the government, and deſtroying the Proteſtant religion, is generally admitted: but that the perſons accuſed were concerned in that conſpiracy; at leaſt that they had proceeded to overt acts, which could juſtly ſubject them to the penalty of treaſon, cannot be inferred from the preſent trial. Beſides the the character of the witneſſes was far from being ſuch as would bear the teſt of a ſtrict ſcrutiny; and though ſome of their aſſertions might poſſibly be true; yet it is more than probable, that moſt of their allegations were entirely groundleſs.

Whether it was owing to a ſuſpicion of their veracity, or that the reſentment of the public was now abated, certain it is, that greater moderation began to be obſerved in the trials of the priſoners. On the eighteenth of June, Sir George Wakeman, the queen's phyſician, Corker, and Marſhall, two Benedictine monks, and Rumley, a lay-brother, were brought to their trial. Oates and Bedloe were the witneſſes againſt them: but beſides that their evidence was by no means ſatisfactory, the jury no doubt conſidered, that a gentleman of Sir George's ſenſe, would never communicate ſuch a ſecret to Bedloe, whom he hardly knew. He even ſwore

that he never ſaw Bedloe before in his life.

Be this as it will, the priſoners were acquitted to the great mortification of the two witneſſes, whoſe credit received a ſevere ſhock by this diſappointment. Lord chief juſtice Scroggs, who had hitherto diſcovered ſome degree of animoſity againſt the priſoners, was obſerved, in the preſent caſe, to give a favourable charge to the jury. The Portugueſe ambaſſador went next day in ſtate to thank him for his lenity in the trial of Wakeman, which was likewiſe conſidered as the trial of the queen; for according to the depoſitions of Oates and Bedloe, ſhe was privy to the deſign of poiſoning her huſband.

The government of Scotland had lately been conducted in ſuch an arbitrary and deſpotic manner, that the whole kingdom was filled with a ſpirit of diſcontent and jealouſy. The covenanters in particular had been expoſed to the utmoſt rigours and ſeverities. It was ſuppoſed to have been the intention of Lauderdale, the commiſſioner, to puſh theſe unhappy men to extremity, and drive them into rebellion, with a view of enriching himſelf by the forfeitures and attainders, with which it would be followed. But the covenanters, aware of his policy, had

had carefully abſtained from all acts of violence, and that perfidious and tyrannical miniſter had hitherto failed of his purpoſe. An incident at laſt happened, which excited a rebellion in that country.

The covenanters were chiefly incenſed againſt Sharpe, the primate, whom they juſtly conſidered as an apoſtate from their principles, and who, of all their enemies, was the moſt cruel and unrelenting. The chief inſtrument of his vengeance, was one Carmichael, an officer, who, by his ſevere and rigorous perſecutions, had expoſed himſelf to the hatred of all the covenanters. A body of theſe had way-laid him on the road near St. Andrew's, with a deſign, if not of killing, at leaſt of chaſtiſing him in ſuch a manner as would afterwards make him more moderate in his conduct.

While they were watching for their prey, they were ſurprized at ſeeing the archbiſhop's coach paſs by; and, agreeable to their enthuſiaſtic notions, they inſtantly concluded that the Lord had delivered their capital enemy into their hands. Without delay, they fell upon him; dragged him from his coach; and after piercing him with redoubled wounds, left him dead on the ſpot, and quietly retired to their own habitations.

As

As the authors of this murder were generally unknown, the commiſſioner reſolved to wreak his vengeance on all the diſſenters. The officers of the army were ſtrictly enjoined to diſcover and diſperſe all conventicles; and for that reaſon the covenanters, inſtead of meeting in ſmall bodies, were obliged to convene in large aſſemblies, and to provide themſelves with arms for their ſafety.

At Rutherglen, near Glaſgow, they openly publiſhed a declaration againſt prelacy; and in the market-place committed to the flames ſome acts of parliament and acts of council, which eſtabliſhed prelacy, and prohibited conventicles. In order to mark the greater contempt of the government, they choſe for this pupoſe the twenty-ninth day of May, the anniverſary of the reſtoration; and previouſly extinguiſhed all the bonfires, which had been kindled for that ſolemnity. A numerous conventicle, which had met upon Loudon-hill, was attacked by captain Graham, afterwards viſcount Dundee, who was ſuddenly repulſed with the loſs of thirty men. The Covenanters, ſenſible, that they had expoſed themſelves to the rigour of the law, were determined to perſevere, and ſeek from their cou-

courage and conduct alone for that indemnity, which they could not expect to find from the ſeverity of the government.

They advanced to Glaſgow, which they inſtantly entered; turned out all the eſtabliſhed clergy; and publiſhed a manifeſto, declaring, that they had taken arms againſt the king's ſupremacy, againſt Popery and prelacy, and againſt a popiſh ſucceſſor. The king was no ſooner informed of this diſturbance, than he immediately ſent Monmouth with a ſmall body of Engliſh horſe, in order to ſuppreſs the inſurgents.

Monmouth, being joined by the Scottiſh guards and ſome regiments of militia, directed his march into the weſtern counties againſt the Covenanters. They were encamped at Bothwel-bridge, between Hamilton and Glaſgow; and had fortified themſelves in ſuch a manner as to be altogether inacceſſible, except over the bridge, which a handful of men might eaſily defend againſt a numerous army. In this particular they ſhowed great prudence; but they diſplayed neither prudence nor valour in any other part of their conduct.

They had been joined by no nobility and by very few gentry: the miniſters were in effect their commanders: and their numbers hardly amounted to eight thouſand men.

Mon-

Monmouth attacked the bridge; and the Covenanters who had been ſtationed to guard it, continued to maintain their poſt until their ammunition was quite expended. When they ſent for more, they were ordered to quit their poſt, and retreat backwards. This imprudent ſtep proved the ruin of their army. Monmouth paſſed the bridge without interruption, and drew up in order, oppoſite to the enemy. His artillery alone decided the action.

The Covenanters fled with great precipitation: about ſeven hundred were killed in the purſuit; for, properly ſpeaking, there was no battle: twelve hundred were made priſoners, and were treated by Monmouth with uncommon humanity. Such of them as engaged to live quietly and ſubmit to the government were inſtantly diſmiſſed. About three hundred, who rejected this condition, were embarked for the plantations; but unhappily periſhed in the voyage.

Two of their miniſters were executed. Monmouth was naturally generous and brave; and beſides, he aimed at popularity in Scotland. The king propoſed to inveſt him with the government of that kingdom. He had married a Scottiſh lady, the rich heireſs of Buccleugh, who was allied to all the chief nobility. Lauderdale too was now de-

declining in years; and began viſibly to loſe that influence, which, notwithſtanding the endeavours of his numerous enemies, and his many wicked and tyrannical actions, he had hitherto poſſeſſed with his royal maſter. Even at preſent he had ſo much credit, as to defeat all the good intentions, which the king, either of his own accord, or by Monmouth's ſuggeſtion, had formed in favour of his Scottiſh ſubjects. An act of indemnity, indeed, was paſſed; but the miniſter took care to draw it up in ſuch a manner, that it ſeemed rather a pardon to him and his aſſociates, than any indulgence to the unhappy Covenanters.

About the latter end of Auguſt, the king was ſeized with an intermitting fever at Windſor. As his life was thought to be in ſome danger, he was adviſed by Eſſex, Sunderland, and Halliſax, to ſend for his brother from Bruſſels. When the duke arrived, he found the king was perfectly recovered; and it was therefore reſolved to conceal the invitation which he had received.

His journey, however, was attended with the moſt important conſequences. He deſired the king to diſcard Monmouth, whoſe connections with the country-party were now univerſally known, and who was even ſuſpected

pected of aspiring to the crown. The king complied with his request; and having stripped Monmouth of all his employments, he ordered him to withdraw to the Continent. York himself returned to Brussels; but tarried not long in that place. He obtained leave to repair into Scotland, under pretence of allaying the apprehensions of the English; but in reality with a view of strengthening his interest in that kingdom.

The elections for the new parliament had been generally carried in favour of the country party. The fears excited by the Popish plot, the suspicions entertained of the designs of the court, and the apprehensions, which prevailed, of the duke's despotic and arbitrary principles, had inflamed the whole nation against the government. The king therefore determined to prorogue the parliamnnt; and as he despaired of obtaining the consent of his council to such a dangerous and unpopular measure, he resolved to take this step entirely of himself, and simply to signify his intention in council.

Most of the members were so piqued at this intimation, that they immediately retired from court. Essex resigned the office of treasurer: Hallifax withdrew to his country-seat: Sir William Temple betook himself to his books and gardens: Shaftsbury was

was removed from the office of president of the council; in which he was succeeded by the earl of Radnor. The post of treasurer was bestowed upon Hyde, who, together with Sunder' nd and Godolphin, enjoyed, at this time, his majesty's confidence.

The Catholics, incensed at the severe prosecutions they had suffered on account of the Popish plot, resolved to repay their enemies in their own coin. For this purpose they contrived a fictitious plot, with which they intended to charge the Protestants.

The principal actor in this scheme was one Dangerfield, a fellow of an infamous and abandoned character. He said there was a design formed for altering the government, and destroying the king and the royal family. This intelligence he imparted to the king and the duke of York, who gratified him with sixty pounds, and countenanced his discovery. He dropped some seditious papers in the lodgings of one colonel Mansel, and then brought custom-house officers into the apartments to search for contraband goods. The papers were found, and when examined by the council, appeared to be forged by Dangerfield himself. They ordered all his usual haunts to be searched; and in the house of one Cel-

lier, which he uſed to frequent, a paper was diſcovered, containing the whole plan of the conſpiracy, concealed in a Meal-tub, whence it acquired the name of the Meal-tub plot.

Dangerfield being impriſoned in Newgate, made a full confeſſion of the forgery, which, he ſaid, was contrived by the earl of Caſtlemain, the counteſs of Powis and the five Popiſh lords in the Tower: that the deſign was to ſuborn witneſſes to accuſe Oates of ſodomy and perjury; to kill the earl of Shaftſbury; and to charge the dukes of Monmouth and Buckingham, the earls of Eſſex, Hallifax, and others, with being concerned in a conſpiracy againſt the king and his brother. The earl of Caſtlemain and the counteſs of Powis were committed to the Tower; and the king himſelf was ſuſpected of having been privy to the conſpiracy.

Mean while the nation in general became extremely impatient for the meeting of the parliament. Seventeen peers preſented a petition for that purpoſe. Many of the corporations followed their example; and notwithſtanding a ſevere and menacing proclamation, all parts of the kingdom concurred in making the ſame requeſt.* As there

* A. D. 1680.

there was no law by which the king could reſtrain theſe importunate petitions, he reſolved to oppoſe them by applications of a contrary nature.

Wherever the church and court party prevailed, addreſſes were drawn up, expreſſing the higheſt reverence for his majeſty, the moſt entire ſatisfaction with his councils and conduct, the moſt dutiful ſubmiſſion to his prerogative, and the deepeſt abhorrence of thoſe, who endeavoured to infringe it, by preſcribing to him the time for convoking a parliament. Thus the nation came to be divideded into *Petitioners* and *Abhorrers*. Factions indeed were at this time extremely exaſperated againſt each other. The very names, which each party gave to its antagoniſt, diſcover the rancour and animoſity, with which they were actuated: for beſides petitioner and abhorrer, appellations which were ſoon forgot; this year is remarkable for being the epoch of the famous epithets of *Whig* and *Tory*, which have ſo long ſerved to characterize the different parties of this iſland.

The court party reproached their antagoniſts with their reſemblance to the conventiclers in Scotland, who were commonly called Whigs; a name derived from a kind of butter-milk, upon which the covenanters were ſuppoſed to live: the country party

diſcovered a ſimilitude between the courtiers and the Popiſh banditti in Ireland, who were uſually diſtinguiſhed by the appellation of Tories; and ſuch was the origin of theſe fooliſh and ridiculous terms, which have ever ſince prevailed in England; and even at preſent ſeem not nearer their end than when they were firſt invented.

The principal leader of the Whigs was the earl of Shaftſbury, who determined to effect the ruin of the duke of York, in oppoſition to whom he ſet up the duke of Monmouth. He not only inſpired him with the hopes of attaining the crown by the favour of the public and the partiality of his father; but even flattered him with the proſpect of ſucceeding to it in the regular courſe of deſcent. With this view he trumped up a report, that the king had been actually married to Mrs. Walters, the duke's mother; and that the contract of marriage was depoſited in a black box, committed to the care of Mr. Gilbert Gerrard.

In order to diſabuſe the public, the king declared in full council that the rumour was falſe; and deſired that a ſtrict enquiry ſhould be made after the author of ſo malicious a ſlander. Gerrard, being cited before the council, depoſed, that he had never received any ſuch contract, nor ever heard that ſuch

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a writing exiſted. At laſt the king iſſued a declaration, importing, that he never was contracted to Mrs. Walters, or Barlow, mother to the duke of Monmouth, nor to any other woman but queen Catharine.

This declaration, atteſted by all the privy-counſellors, was regiſtered in the books of the court of Chancery. Soon after, the earl of Caſtlemain was tried on account of the meal-tub plot, and acquitted; and the grand-jury rejected the bill of indictment againſt the counteſs of Powis.

The chief ſtrength of the country party conſiſted in the favour of the city of London, which has generally poſſeſſed ſuch weight in the government as to give the ſuperiority to whatever ſide it is pleaſed to eſpouſe. It had always been, as it ſtill is, the cuſtom for the lord-mayor to nominate a ſheriff by drinking to him; and the common-hall had uſually confirmed the mayor's choice.

Sir Robert Clayton, the mayor, happened to name one, who was not agreeable to the popular leaders: the common-hall rejected the choice: and Bethel and Corniſh, two gentleman attached to the country party, were elected by a majority of votes. The mayor and courtiers exclaimed loudly againſt this innovation: but all their remonſtrances

were totally diſregarded; and they were at laſt obliged to ſubmit.

Shaftſbury, ſenſible that he had already proceeded to ſuch extremities againſt the duke of York, that no hopes of an accommodation were left, reſolved, if poſſible, to effect the final ruin of that prince. With this view he repaired to Weſtminſter-hall, accompanied by twelve peers and gentlemen of diſtinction; and preſented to the grand jury of Middleſex a bill of indictment againſt the duke of York, as a Popiſh recuſant. Before the jury could come to any determination with regard to this extraordinary preſentment, they were ſuddenly diſmiſſed by the chief-juſtice. Shaftſbury, however, obtained the end for which he had ventured on this bold meaſure. He convinced his followers that he was fully determined to perſevere to the laſt; and he hoped by his example to inſpire them all with a like reſolution.

On the twenty firſt of October the new parliament aſſembled; and it ſoon appeared that the majority of the lower houſe were ſtrongly prepoſſeſſed againſt the meaſures of the court. The king, in his ſpeech to them, obſerved, that the ſeveral prorogations, which he had made, had been equally beneficial to his neighbours and to himſelf:

ſelf: that he had employed the interval in completing with the crown of Spain an alliance, which had been often requeſted by former parliaments, and which, he hoped, would give ſatisfaction to the preſent: that in order to ſtrengthen this meaſure and render it the more extenſively uſeful, it would be neceſſary to avoid, as much as poſſible, all domeſtic diſputes, and to maintain the peace and tranquillity of the public: that he was reſolved to exert his utmoſt endeavour for attaining ſo excellent and deſireable an end; and provided the right of ſucceſſion was preſerved, he would willingly agree to any expedient for ſecuring the religion and liberty of the kingdom: that the farther examination of the Popiſh plot and the puniſhment of the criminals was neceſſary for inſuring the ſafety of the king and people: and after recommending to them the ſupport of the garriſon of Tangiers, he concluded with theſe words: "but that which I value above all the treaſure in the world, and which, I am ſure will give me greater ſtrength and reputation both at home and abroad than any treaſure can do, is, a perfect union among ourſelves. Nothing but this can reſtore the kingdom to that ſtrength and vigour, which it ſeems to have loſt, and raiſe it

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" again to that reputation, which England " hath uſually had. All Europe hath their " eyes on this aſſembly, and think their " own happineſs and miſery, as well as " ours, will depend upon it. If we ſhould " be ſo unhappy as to fall into ſuch miſ- " underſtandings among ourſelves as to " render it unſafe to truſt to our friendſhip, " it will not be ſtrange, if our neighbours " ſhould begin to adopt new meaſures, and " perhaps ſuch as may be fatal to us. Let " us therefore take care, that we do not " gratify our enemies, and diſcourage our " friends, by any unſeaſonable diſputes. " If any ſuch do happen, the world will " ſee that it was no fault of mine: for I " have done all that it was poſſible for me " to do, to keep you in peace while I live, " and to leave you ſo when I die. But " from ſo great prudence and good affection " as yours, I can fear nothing of this kind; " but do rely upon you all, that you will " do your beſt endeavours to bring this par- " liament to a good and happy concluſion."

The diſguſt, however, which the commons had conceived againſt the meaſures of the court, was too ſtrong to be removed by theſe mollifying expreſſions. They inſtantly voted, that it was the undoubted right of the ſubject to petition the king for the

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aſſembling of parliaments. They next wreaked their vengeance on all thoſe *Abhorrers*, who, in their addreſſes, had condemned theſe petitions. For this offence they expelled Sir Thomas Withens. They named a committee to make enquiry concerning ſuch members as had been guilty of the like crime; and complaints were preferred againſt Paſton, Sir Robert Malverer, Sir Bryan Stapleton, Taylor and Turner.

They addreſſed the king againſt Sir George Jefferies, recorder of London, for his zeal in the ſame cauſe; and they compelled him to reſign his office, in which he was ſucceeded by Sir George Treby, a man of a more popular character. They voted an impeachment againſt North, chief-juſtice of the Common-Pleas, for drawing the proclamation againſt tumultuous petitions; but the proclamation, when examined, appeared to be ſo cautiouſly worded, that it furniſhed them with no handle againſt him.

A petition having been preſented to the king from Taunton; "how dare you "deliver me ſuch a paper," ſaid the king to the perſon who preſented it. "Sir" replied he, "my name is Dare." For this inſolent anſwer, but under other pretexts, he had been tried, and fined, and impriſoned. The commons now applied to the king for his

releaſe and for the remittance of his fine. In a word, every ſtep they took diſcovered their ſtrong jealouſy of the deſigns of the court, and their determined reſolution to tread in the ſteps of their predeceſſors.

So great, indeed, were the apprehenſions, with which the religion and bigotry of the duke had filled them, that, in leſs than a week after the commencement of the ſeſſion, a motion was made for bringing in an excluſion-bill, and a committee was appointed for that purpoſe. This bill differed in nothing from the former, except in two articles, which diſcovered ſtill an encreaſe of zeal in the commons: the bill was to be read to the people twice a year in all the churches of the kingdom, and every one, who ſhould maintain the duke's title, was declared uncapable of pardon but by act of parliament.

The debates on this ſubject were conducted with great eagerneſs by both parties. The ſpeakers in defence of the bill were Sir William Jones, who had lately reſigned his office of attorney-general, lord Ruſſel, Sir Francis Winnington, Sir Harry Capel, Sir William Pulteney, colonel Titus, Treby, Hambden, and Montague. The ſpeakers againſt it were, Sir Leoline Jenkins, ſecretary of ſtate, Sir John Erneley, chancel-

cellor of the Exchequer, Hyde, Seymour, Finch, and Temple.

The exclusionists alledged, that in every government there is somewhere lodged a supreme authority; nor can any determination, however uncommon, which receives the sanction of the legislature, ever after admit of the least dispute or controversy: that the liberty of any constitution, so far from diminishing, tends rather to strengthen this absolute power, and to give it greater influence over the people: that the more parts of the state concur in any legislative decision, and the more free their deliberations, the more probable is it, that those acts, which have been confirmed by their authority, will meet with a ready obedience: that in England, the legislative power is vested in the king, lords, and commons, which include every order of the community; nor is there any pretext for exempting any circumstance of government, not even the succession of the crown, from so full and decisive a jurisdiction: that parliamentary authority had frequently been declared to be fully adequate to the determination of this very question; instances had even occurred, where it had been exercised; and though it must be allowed, that such innovations should never be attempted except on ex-

extraordinary occaſions, the power and right muſt ever be acknowledged to belong to the community: that if any occaſion could be deemed extraordinary, if any emergence could require unuſual expedients, it was certainly the preſent; when the heir to the crown had abandoned the religion of the ſtate, and embraced a faith, totally hoſtile and incompatible: that a prince of that communion could never repoſe any ſincere confidence in a people ſo prejudiced againſt him; the people muſt be equally diſtruſtful of him; foreign and deſtructive alliances would appear to the one the chief ſupport of his throne; and perpetual jealouſy, oppoſition, and even inſurrections, would be employed by the other as the only means of ſecuring their religion and liberty: that though theological principles, when ſet in oppoſition to paſſions, were often found to have ſmall influence on mankind in general, and ſtill leſs on princes; yet when they became the badges of faction, and the marks of party-diſtinction, they are then capable of producing the moſt terrible and deſtructive conſequences: that, notwithſtanding the ſounder judgement and milder diſpoſition of the king, the arbitrary and bigotted temper of the duke had already diſturbed the tranquillity of the public, and had fre-

frequently engaged the nation in meaſures, totally inconſiſtent with its intereſts, both foreign and domeſtic: that the bloody nature of the Popiſh plot had given a ſtriking and alarming ſpecimen of the dangerous deſigns of the Roman Catholics, and inſpired the people with ſuch an antipathy againſt the profeſſors of that religion, as rendered it impoſſible ever to perſuade them to ſubmit peaceably to the duke's government: that the prince, finding himſelf in ſo critical a ſituation, would be tempted to ſeek ſecurity by deſperate remedies, and by totally ſubduing thoſe privleges of the nation, which were ſo repugnant to his religious prejudices: that no limitations or reſtrictions could poſſibly anſwer the intended purpoſe; whatever ſhare of authority was left in the duke's hands, would certainly be employed to the deſtruction of the nation; and as the laws of England ſtill make every ſpecies of reſiſtance treaſon, nothing ſurely could be more imprudent, than to leave the kingdom in ſo perilous a ſituation; where the greateſt virtue would be expoſed to the ſevereſt puniſhment, and where the laws could only be ſaved by expedients, which thoſe very laws have declared the higheſt crime and enormity.

The court party reaſoned in a very different manner. They ſaid, that though a law, excluding the duke from the throne, might be enacted by the concurrent conſent of the king, lords and commons, there would ſtill remain a very powerful party, who might indeed be out-voted, but who would never be perſuaded to pay obedience to law, which was evidently ſubverſive of hereditary right: that no human ſcheme could poſſibly provide againſt all contingencies; and the bill of excluſion itſelf, however accurately framed, left room for very obvious and natural ſuppoſitions, to which it pretended not to point out any remedy: that if the duke ſhould have a ſon, after the king's death, that ſon could not, without any fault of his own, merely by his father's demerit, be juſtly deprived of his right to the crown; nor could the princeſs of Orange, without unhinging the whole frame of government, deſcend from the throne, in order to make way for the lawful ſucceſſor: that it ought to be conſidered, that in all public deliberations, we ſeek not the expedient, which is beſt in itſelf, but the beſt of ſuch as are practicable: that it was in vain to expect the conſent of the king to the propoſed excluſion of the duke; he was willing, indeed, to agree

agree to certain limitations; he had already offered ſome which were of the utmoſt importance; but he was determined to hazard to any extremity, rather then ſuffer the right of ſucceſſion to be violated.

Notwithſtanding theſe objections, the bill paſſed the lower houſe by a great majority; and was ſent up to the houſe of peers, where it was likely to meet with a more violent oppoſition. Shaftſbury, Sunderland, and Eſſex, ſpoke in defence of it: Halliſax chiefly conducted the debate againſt it, and partly by the force of his eloquence, partly by the influence of the court, it was rejected by a majority of thirty three voices.

The commons were enraged at this diſappointment. They immediately petitioned his majeſty for removing Halliſax from his preſence and councils for ever. Though the pretended cauſe was his adviſing the late frequent prorogations of parliament, the true reaſon was evidently his bold oppoſition to the excluſion-bill.

When the king demanded a ſupply for the defence of Tangiers, which he declared his preſent revenues totally unable to maintain; inſtead of granting his majeſty's requeſt, the commons preſented an addreſs, which was in effect a remonſtrance, and one almoſt as violent as that famous remonſtrance

which preceded the civil wars. All the abuſes of government, from the commencment of the reign, are particularly mentioned; the Dutch war, the French alliance, &c. and as all theſe meaſures, as well as the Popiſh plot, were imputed to the arts and contrivances of the Papiſts, it was plainly inſinuated, that the king had all along been directed by that party, and was in realrty the principal conſpirator againſt the religion and liberties of his people.

The next object, which engroſſed the attention of the public, was the impeachment of the Popiſh lords in the Tower: the chancellor, now created earl of Nottingham, was appointed lord high ſteward on the occaſion. The viſcount Stafford was firſt brought to his trial. The witneſſes produced againſt him were Dugdale, Oates, and Tuberville.

Dugdale ſwore, that at a certain meeting held at Tixall in Staffordſhire, in the beginning of September 1678, the lord Stafford, with lord Aſton and others, did, in the deponent's preſence, give his full conſent "to the "taking away the king's life, and introducing "the Popiſh religion:" that on the twentieth or twenty-firſt of the ſame month, the priſoner ſent for the deponent to his chamber; and turning out his ſervant, offered him five hundred pounds to aſſaſſinate the king; add-

adding, "that he ſhould have free pardon "of all his ſins, and even be canonized; "for that the king had been excommu- "nicated, and was likewiſe a traitor, a re- "bel, and an enemy to Chriſt."

Oates depoſed, that in the year 1678, both in Spain, and at St. Omers, he ſaw ſeveral letters, ſubſcribed by the priſoner, in which his lordſhip aſſured the jeſuits of his fidelity and zeal in promoting the Catholic cauſe: that, in the courſe of the ſame year, his lordſhip came to the chamber of father Fenwick, ſince executed, and there, in the deponent's preſence, received a commiſſion to be pay-maſter-general to the army: that the priſoner ſaid, "that he muſt "of neceſſity go down into the country to "ſee how affairs went there, and doubted "not but before his return Grove would "do his buſineſs;" adding, "that the "king had deceived them a long time, and "could be no longer borne."

Tuberville ſwore, that having diſobliged his friends by leaving the ſeminary at Doway, he had gone into France in the year 1675: that at Paris he became acquainted with his lordſhip, who propoſed to him a way both of regaining the favour of his friends, and of making himſelf eaſy for the future; and that was "by taking away the

"life of the king of England, who," according to his lordship's expression, "was "a heretic, and a rebel against God Al- "mighty:" that when the deponent left Paris, he was ordered by his lordship to meet him at London on a certain day; but that being fully determined not to undertake the enterprize, he soon after returned to France, where being neglected by his friends, he was reduced to the greatest poverty.

Stafford's defence consisted chiefly in a flat denial of the crime, which was laid to his charge. He observed, that the witnesses were persons of infamous lives, and that their depositions contained the grossest inconsistencies, and even contradictions. He alledged, that it was extremely improbable, that if Oates had really been acquainted with the secrets of so many great men, he would ever have been suffered to be involved in such necessities as those to which he was confessedly reduced before he made his first discoveries.

Notwithstanding these allegations, he was found guilty by a majority of fifty-five voices against thirty-one. The lord high steward asking him, "what he could say for himself, "why sentence of death should not pass "upon him, according to law?" he replied, "My lord, I have very little to say: I own I "am

"am surprized at it; for I did not expect it: "but God's will be done: I will not mur- "mer at it: and may God forgive those "who have sworn falsely against me."

During the interval betwixt the sentence and execution, many efforts were made by his friends to draw from him a confession of the whole conspiracy: but Stafford declared, that, excepting some schemes, which had been laid by himself and others for procuring a repeal, at least a mitigation of the penal laws enacted against the Catholics, he was entirely ignorant of any conspiracy; and this was the sole treason, of which he had ever been guilty.

But all his protestations of innocence were not able to save him from the fate to which he was doomed. The general odium under which the Catholics at that time laboured, and the universal belief, that a plot had been formed for the destruction of the Protestant religion, made the peers more regardless of any improbabilities in the depositions of the witnesses; and Stafford was executed on the twenty-ninth of December, being then in the sixty-eighth year of his age.

The execution of Stafford was not sufficient to quiet the apprehensions of the commons, nor to reconcile them to the measures

ſures of the court. They paſſed a bill for the relief of the Proteſtant diſſenters, and for repealing the perſecuting ſtatute of the thirty-fifth of Elizabeth: this laudable bill was likewiſe carried through the houſe of peers. The chief juſtice had incurred great odium by diſmiſſing the grand jury in an irregular manner, and thereby defeating that bold meaſure of Shaftſbury and his friends, who had impeached the duke of York as a recuſant. For this crime the commons preferred an accuſation againſt him; as alſo againſt Jones and Weſton, two of the judges, who, in ſome ſpeeches from the bench, had ventured to give to many of the firſt reformers the appellation of fanatics.

The king in rejecting the excluſion-bill, had ſcreened himſelf behind the authority of the houſe of peers; and had deprived the commons of all pretext of attacking the ſovereign, under colour of attacking his miniſters and counſellors. Deſirous, however, of throwing on them the blame of any rupture that might happen, he addreſſed them in a new ſpeech; where, after exhorting them to lay hold of the preſent opportunity, he added theſe words: "I did promiſe you the fulleſt ſatisfaction, which "your hearts could wiſh, for the ſecurity "of the Proteſtant religion, and to concur "with

"with you in any remedies, which ſhould not "infringe the legal courſe of hereditary "ſucceſſion. I do again, with the ſame "reſervations, renew the ſame promiſes "to you: and being thus ready on my part "to do all that can reaſonably be expected "from me, I ſhould be glad to know "from you, as ſoon as poſſible, how far "I may depend on your aſſiſtance, and "what it is you deſire from me."

Theſe mollifying expreſſions had no effect upon the commons. They ſtill inſiſted on the bill of excluſion, and proceeded to bring in ſeveral other bills of a very important nature: one to renew the triennial act, which had been ſo imprudently repealed in the beginning of the reign: a ſecond to continue the office of judge during good behaviour: a third declaring it high-treaſon to levy money without conſent of parliament: and a fourth to frame an aſſociation for the protection of his majeſty's perſon, for the ſupport of the Proteſtant religion, for the defence of Proteſtant ſubjects againſt all invaſions and oppoſition whatſoever, and for preventing the duke of York or any other Papiſt from ſucceeding to the throne.

They likewiſe paſſed ſeveral votes, which, though deſtitute of the authority of laws, ſerved yet to diſcover their extreme diſpleaſure

ſure with the meaſures of the court. They voted, that whoever adviſed his majeſty to reject the excluſion-bill was an encourager of Popery, and an enemy to the king and kingdom. In another vote, they accuſed the marquis of Worceſter, the earls of Clarendon, Feverſham, and Hallifax, Laurence Hyde, and Edward Seymour, as thoſe dangerous enemies, and they intreated his majeſty to remove them from his perſon and councils for ever. They voted, that till the excluſion-bill was paſſed, they could not, without betraying the truſt committed to them, grant the king any manner of ſupply: and leſt he ſhould be able, by any other means, to ſupport the government, and render himſelf independent, they paſſed another vote, importing, that whoever ſhould advance any money upon thoſe branches of the king's revenue ariſing from cuſtoms, exciſe, or hearth-money, ſhould be deemed an enemy to parliaments, and be anſwerable for the ſame in that aſſembly.

The king, alarmed at theſe violent proceedings, and apprehenſive that ſome of the dangerous bills, introduced into the lower houſe, might be approved by the peers, came ſecretly to a reſolution of proroguing the parliament.

The

The commons got intelligence of this intention about an hour before the black rod came to the door. Not to loſe ſuch precious time, they inſtantly voted, though in a very tumultous manner, that whoever adviſed his majeſty to prorogue the parliament for any other purpoſe than that of paſſing the excluſion-bill, was an enemy to the king, to the Proteſtant religion, and to the kingdom of England; a friend to the French intereſt, and a penſioner of France: that thanks be given to the city of London for their great loyalty, and for their care and vigilance in the preſervation of the king and the Proteſtant religion: that an humble petition be preſented to his majeſty, that he would be graciouſly pleaſed to reſtore the duke of Monmouth to all his offices and commands of which, it appeared to the houſe, he had been deprived by the influence of the duke of York: and that it is the opinion of the houſe, that the proſecution of the Proteſtant diſſenters upon the penal laws is at this time grievous to the ſubject, a weakening of the Proteſtant intereſt, an encouragement to Popery, and dangerous to the peace of the kingdom.

Theſe votes were ſcarce paſſed when the uſher of the black rod arrived; and the commons repairing to the houſe of peers, the

the king gave his aſſent to ſome laws of no great importance; and then prorogued the parliament to the twentieth of January.*

In a few days after the prorogation, the city of London preſented an addreſs to his majeſty, humbly beſeeching him to aſſemble the parliament on the day appointed, that they might have an opportunity of providing for the ſafety of the nation. This addreſs ſerved only to provoke the king to a higher degree; and accordingly, inſtead of complying with their requeſt, he inſtantly diſſolved the parliament. At the ſame time, he iſſued writs for calling another on the twenty-firſt day of March.

The king had always imagined, that the chief ſtrength of the country party conſiſted in their cloſe connexion with the city of London, which was ever warmly attached to their cauſe. To deprive them, therefore, as much as poſſible, of this reſource, he reſolved to ſummon the new parliament at Oxford.

This reſolution was no ſooner known, than the earl of Eſſex, accompanied by fifteen peers, preſented an addreſs to his majeſty, humbly intreating him to convoke the parliament, as uſual, at Weſtminſter. They repre-

* A. D. 1681.

repreſented, that all the aſſemblies, which had ever been held at a diſtance from the capital, had always been attended with unfortunate iſſues; particularly the congreſs of Henry the ſecond at Clarendon, three ſeveral parliaments of Henry the third at Oxford, and thoſe of Henry the ſixth at Coventry; all of which had been productive of the greateſt miſchiefs as well to thoſe monarchs, as to the kingdom in general: that conſidering the preſent ſituation of affairs, and the many jealouſies and diſcontents, which prevailed among the people, there was great cauſe to apprehend, that the aſſembling the enſuing parliament at Oxford, might be as fatal to his majeſty, as thoſe above-mentioned had proved to former ſovereigns: that neither lords nor commons could expect to be in ſafety at Oxford, where they would be expoſed to the ſwords of the Papiſts and their adherents, of whom too many had crept into his majeſty's guards: that their uſual liberty of ſpeech would be entirely deſtroyed, and the validity of their acts and proceedings would, of courſe, be diſputable: that the place was too narrow to admit of ſuch a concourſe of people as commonly attended a parliament: and that the witneſſes neceſſary to give evidence in the intended trials, were unable to

bear the expence of such a journey, and unwilling to trust to the protection of a parliament, which itself was under the power of soldiers. To this address the king returned no other answer than a frown of indignation, with which he received the petitioners.

The expedient, which his majesty had employed, in order to weaken the country party, served only to unite them the more firmly together, and to make them exert themselves with the greater vigour and activity. The city of London not only rechose the same members, but likewise voted them thanks for their former behaviour, in endeavouring to discover the authors of the Popish plot, and to exclude the duke of York, the principal cause of all the public calamities.

Their example was followed by most of the corporations in the kingdom; and the leading members repaired to Oxford, attended not only with their servants, but with numerous bands of armed followers. The representatives of London, in particular, were accompanied by great multitudes, wearing ribbons, in which were interwoven these words, "No Popery! No Slavery!" The king had his guards mustered: his party likewise endeavoured to a shew of their strength;

ſtrength; and on the whole, the aſſembly at Oxford had more the appearance of a tumultuous Poliſh diet, than of a regular Engliſh parliament.

The king, who had hitherto employed the moſt gracious expreſſions to all his parliaments, eſpecially the two laſt, thought proper to make uſe of a more authoritative ſtile in his ſpeech to the preſent. He complained of the violent proceedings of the former houſe of commons; and ſaid, that as he never intended to exerciſe arbitrary power himſelf, ſo would he never allow it in others. By calling, however, this parliament ſo ſoon, he had ſufficiently ſhown, that no paſt irregularities could inſpire him with a diſguſt for thoſe aſſemblies. He now afforded them, he ſaid, another opportunity of providing for the public ſafety; and to all the world had given one evidence more, that on his part he had performed every thing that could reaſonably be expected from him.

The commons were not intimidated by the majeſterial air of the king's ſpeech. They conſiſted almoſt entirely of the ſame members: they elected the ſame ſpeaker: and they inſtantly adopted the ſame meaſures, the impeachment of Danby, the repeal of the perſecuting ſtatute of Elizabeth,

the enquiry into the Popiſh plot, and the bill of excluſion. So eager were they on this laſt article, that every expedient, deviſed by the court, was flatly rejected.

Ernely, one of the king's miniſters, propoſed, that the duke ſhould be baniſhed, during life, to the diſtance of five hundred miles from any part of the Britiſh dominions: that the government ſhould be wholly veſted in a regent: that this office ſhould be conferred upon the princeſs of orange; and, in caſe of her death, upon her ſiſter Anne: that ſhould the duke have a ſon educated in the Proteſtant religion, the ſaid regent ſhould govern during the minority of the young prince: that, though, out of reſpect to the royal family, and for the ſake of preſerving the right of ſucceſſion, the kingdom ſhould be governed in the name of James the ſecond; yet no man ſhould take arms in his behalf, or by virtue of his commiſſion, on pain of being capitally puniſhed: that the ſame penalty ſhould be inflicted upon any perſon, who ſhould affirm, that the ſimple title of king takes away all the defects mentioned in this act, or in any ſhape eludes the obligation of it: that commiſſioners ſhould be forthwith diſpatched into Holland, in order to obtain the conſent of the prince and princeſs of orange to aſſume the office of re-

regent: that all officers, civil and military, ſhould take an oath to obſerve this ſtatute: that acts of the ſame nature ſhould be paſſed in the parliaments of Scotland and Ireland: that in caſe the duke of York ſhould ever enter any of the three kingdoms, he ſhould be excluded *ipſo facto*, and the ſovereignty devolve to the regent: and that all Papiſts of any note ſhould be baniſhed by name, their fraudulent conveyances defeated, and their children be educated in the Proteſtant religion.

Theſe conditions, however ſevere, were not ſufficient to ſatisfy the commons, who ſtill imagined, that the duke, if left in poſſeſſion of the title of king, would eaſily find means to acquire the ſovereignty, and to break through every reſtraint, to which he could poſſibly be ſubjected. The bill of excluſion was therefore reſumed, and proſecuted with great vigour; when an event happened, which created a quarrel between the two houſes, and ſoon put an end to all their proceedings.

There was one Fitzharris, an Iriſh Catholic, who had inſinuated himſelf himſelf into the dutcheſs of Portſmouth's confidence, and had been employed by her in procuring intelligence of any libel wrote by the country party, or of any deſigns formed againſt her or againſt

the court. For ſervices of this kind, and perhaps too, from a regard to his father Sir Edward Fitzharris, who had been a zealous royaliſt, the king had make him a preſent of two hundred and fifty pounds.

This man contracted an acquaintance with one Everard, a Scot, a ſpy of the exclufioniſts; to whom he propoſed to write a libel againſt the king, the duke, and the whole adminiſtration. What was Fitzharris's deſign cannot well be diſcovered: it is probable, as he afterwards affirmed, that he meant to carry this libel to his patron, the dutcheſs, in order to convince her of his uncommon diligence. Everard, who ſuſpected that this was only a ſcheme to enſnare him, reſolved to retort the intended miſchief on the head of Fitzharrris.

He poſted Sir William Waller, an eminent juſtice of peace, and two other perſons, behind the hangings, and gave them an opportunity of ſeeing and hearing the whole tranſaction. The libel planned by Fitzharris, and compoſed partly by him, partly by Everard, was the moſt furious and indecent that could poſſibly be conceived; and ſuch as was more likely to hurt than to ſerve the party which it profeſſed to eſpouſe.

Waller immediately informed the king, and obtained a warrant for apprehending Fitz-

Fitzharris, who happened, at that very time, to have a copy of the libel in his pocket. When queſtioned on the ſubject, he ſaid, that he had been employed by the court to write the libel, in order to throw the odium of it on the excluſioniſts; that the intention of the miniſters was to ſend copies of it to all the heads of the country party; and the moment they received them, they were to be ſeized, and accuſed of a conſpiracy.

Whether or not the popular leaders gave any credit to the declaration of Fitzharris, it is hard to determine: certain it is, they expected to draw from him ſome freſh diſcoveries with regard to the Popiſh plot, to which he ſaid he was privy. The king, apprehenſive of the conſequence, had removed him from Newgate; had ſent him to the Tower; and had ordered him to be proſecuted by an indictment at common law.

In order to prevent his trial and execution, the commons preferred an impeachment againſt him before the houſe of peers. The lords alledged, that the affair muſt be remitted to the ordinary courts of judicature, before which, as the attorney-general told them, it was was already reſolved to try Fitzharris. The commons aſſerted, that the peers were obliged to receive every impeach-

peachment presented by the lower house; and this indeed appears to have been the first instance of their refusal. They therefore voted, that the lords, in rejecting their impeachment, had impeded the course of justice, and had violated the constitution of parliaments. They likewise declared, that whatever inferior court should presume to try Fitzharris, or any one that lay under a parliamentary impeachment, should be deemed guilty of a high breach of privilege.

Having passed these votes, they resumed the consideration of the exclusion-bill, against which no member ventured to speak except secretary Jenkins, who was sarcastically complimented upon the honour he enjoyed of standing alone in this famous contest. They had actually ordered the bill to be read a second time, when Charles, seizing the pretext of the quarrel between the two houses, stole secretly upon them and dissolved the parliament, before they had the least intimation of his design. He forthwith stepped into his coach, and returned to Windsor; from whence he next day repaired to London, where he published a declaration, explaining his reason for dissolving the two last parliaments. The futility of these reasons, however, was soon exposed in a pamphlet, en-

intitled, "A modeſt vindication of the "proceedings of the two laſt parliaments;" compoſed by Algernon Sidney, an illuſtrious patriot, a man no leſs diſtinguiſhed by the integrity of his life than by the greatneſs of his abilities.

From this time, the king continued to govern the nation, not only without parliaments, but even with an abſolute authority. Being now freed from the importunate remonſtrances of theſe troublesome aſſemblies, as he deemed them, he entirely threw aſide the maſk, and diſcovered the genuine principles, by which he had ever been actuated. The Popiſh plot, which, in all his late ſpeeches and declarations, he had ever repreſented as ſo big with miſchief to himſelf and the kingdom, was now conſidered as a mere chimera; and the four lords, whom, in compliance with the requeſt of the parliament, he had committed to the Tower, were ſuppoſed to be perfectly innocent. But what was ſtill more remarkable; the king himſelf, who had hitherto appeared ſo mild and merciful, became henceforward cruel and ſanguinary in his temper; though many of the rigorous meaſures, which he adopted, may be juſtly aſcribed to the pernicious counſel of the duke of York, whoſe cruelty was exceeded only by his bigotry.

It

It will no doubt ſeem ſurprizing to the reader, that a king, who had ſo frequently been humbled by his parliaments, and obliged to comply with their moſt exhorbitant demands, ſhould all of a ſudden become abſolute maſter of his kingdom, without fleet, without army, without foreign aſſiſtance, without money, except that of his ordinary revenue; and ſhould at once be able, without the leaſt noiſe or tumult, to accompliſh a deſign, which, from the very commencement of his reign, he had in vain endeavoured to effect.

This unexpected revolution was chiefly owing to the arts of the miniſters, who found means to perſuade the people, that all the Whigs were declared enemies to the church and monarchy, and aimed at nothing leſs than the utter deſtruction of both. The clergy eſpecially were extremely active on this occaſion: influenced, partly by their own fears, partly by the inſinuations of the court, they repreſented all their antagoniſts as ſectaries and republicans, and rejoiced in eſcaping all thoſe dangers, with which, they imagined, they had been lately threatened. Principles the moſt deſtructive of civil liberty were every where inforced from the pulpit, and adopted in numerous addreſſes; where the king was applauded for his late con-

onduct, and congratulated on his eſcape from arliaments. To have judged indeed by heſe addreſſes, the nation appeared to be unning faſt into voluntary ſlavery, and eemed even deſirous of reſigning into the ing's hands all thoſe priveleges, which at uch an expence of blood and treaſure, had been tranſmitted to them by their brave anceſtors.

It is certain, however, that the Whigs, though at preſent depreſſed, were ſtill a numerous and powerful party; and had the king tried the experiment of a new parliament, he would probably have found their ſtrength to be much greater, than the miniſters affected to believe. Of this circumſtance the king ſeems to have been ſo ſenſible, that, during the remaining part of his reign, he never ventured to call another parliament; a ſhrewd ſign, that he was fully conſcious, that, notwithſtanding the flattery of the Tories, the people in general where by no means ſatisfied with his meaſures.

The firſt object, which engaged the attention of the court, was the trial of Fitzharris. The jury alledged, that they had no right to proceed in that affair after the concluding vote of the commons: but the judges took upon them to give a contrary deciſion; and the jury were obliged to ſubmit.

mit. The writing the libel was clearly proved againſt the priſoner: the only queſtion was with regard to his intentions. He affirmed, that he was a ſpy of the court, and had accordingly carried the libel to the dutcheſs of Portſmouth; and he was deſirous that, in this tranſaction, the jury ſhould conſider him rather as a cheat than a traitor. His proof, however, was ſomewhat imperfect; and he was brought in guilty of treaſon by the jury.

Seeing himſelf entirely at the mercy of the king, he now retracted all his former declarations, and endeavoured to attone for them by inventing new impoſtures againſt the country party. He ſaid, that thoſe aſſertions had been extorted from him by the artifices of Treby, the recorder, and of Bethel and Corniſh, the two ſheriffs. To this account he adhered even at his execution: but little faith was given to the dying confeſſion of a man, who had evidently been guilty of perjury, and who was ſo entirely loſt to all ſenſe of honour. Beſides, it is probable, that, as his wife had ſome connexions with Mrs. Wall, the favourite maid of the dutcheſs of Portſmouth, he hoped, if he perſiſted in a ſtory agreeable to the court, he might poſſibly obtain a pardon even in the laſt extremity. This is no leſs than the fifteenth

falſe

falſe plot, or ſham-plot as they were then called, with which the miniſters, it was ſuppoſed, had endeavoured to ruin the reputation of their enemies.

The king, being now freed from the reſtraint of parliaments, and poſſeſſed of all the legal power and authority, proceeded to wreak his vengeance on all thoſe, who had dared to oppoſe his meaſures. The whole gang of ſpies, witneſſes, and informers were enliſtened into his ſervice, and their teſtimony or rather perjury employed in order to condemn the country party.

The firſt perſon, on whom the ſtorm fell, was one College, a joiner of London, who had been extremely zealous againſt the Papiſts, and was ſomewhat connected with Shaftſbury and the other popular leaders. College, it was ſaid, had been in Oxford armed with a ſword and piſtol during the ſetting of parliament; and this ſuppoſed crime was made the foundation of his trial. It was alledged, that a plot had been formed to ſeize the king's perſon, and detain him in cuſtody, until he ſhould paſs the excluſion-bill. The grand-jury of London having examined the charge, unanimouſly rejected the indictment againſt College.

The priſoner was therefore ſent to Oxford, where the crime was ſaid to have been com-

mitted. Lord Norris, a courtier, was sheriff of the county; and the inhabitants in general were extremely attached to the court party. A jury was named entirely at the devotion of the ministers; and in such circumstances little justice could be expected by the prisoner. Some papers containing directions for his defence were taken from him, as he was going to his trial; from whence he might easily conjecture that the court was bent upon his ruin.

The witnesses, who deposed against him, were Dugdale, Tuberville, Haynes, and Smith; men, who had formerly given evidence against the Catholics, but who had lately been gained by the court party. College, though involved in so many difficulties, oppressed with so many hardships, defended himself with courage and capacity; and he refuted the evidence of the crown by the most solid arguments and the most undeniable testimony; yet did the jury, after half an hour's consultation, return a verdict against him.

The inhuman spectators testified their joy by shouts and acclamations: but the prisoner was no way confounded. At his execution he preserved the same manly fortitude, and still denied the crime, for which he had been condemned. His whole conduct and be-

behaviour ſhow him to have been a man of principle and virtue, and to have been actuated by a very ſincere, though perhaps imprudent, zeal for his country and his religion.

The trial of College was intended to pave the way for that of the earl of Shaftſbury, againſt whom the king was particularly incenſed. This nobleman was now committed to the Tower, and his indictment preſented to the grand-jury. Every art of corruption was employed in order to procure ſome evidence againſt him. At laſt a number of Iriſh banditti were brought over, and perſuaded to depoſe according to the directions they ſhould receive.

As far as ſwearing could go, the treaſon was clearly proved againſt Shaftſbury, or rather ſo clearly, as to deſerve no manner of credit or attention. That nobleman, ſo remarkable for prudence and circumſpection, was repreſented as diſcloſing without reſerve his treaſonable intentions to theſe obſcure wretches, and uttering ſuch groſs and outragious reproaches againſt the king, as none but the very dregs of the people, like themſelves, could be ſuppoſed to utter.

The draught of an aſſociation, indeed, againſt Popery and the duke, was found among Shaftſbury's papers; and very dan-

gerous inferences might be drawn from many clauſes in that writing. But it was inconteſtably proved, that the paper had neither been framed by Shaftſbury, nor ſo much as approved by him; and as ſchemes of an aſſociation had been mentioned in parliament, it was very natural for that nobleman to be thinking of ſome plan, which it might be neceſſary to propoſe to that aſſembly. The grand-jury, after conſidering all theſe circumſtances, rejected the indictment againſt the earl: a circumſtance ſo agreeable to the city, that the evening was concluded with bonfires and other demonſtrations of joy, and even a medal was ſtruck on this occaſion.

Meanwhile the duke of York continued to govern Scotland with an abſolute and deſpotic authority, and to exerciſe every ſpecies of tyranny and oppreſſion in that unhappy kingdom. He had prevailed upon the parliament to paſs a teſt, which all perſons, poſſeſſed of civil, military, or eccleſiaſtical offices, were obliged to take. In this teſt the indefeaſible right of ſucceſſion was acknowledged, the king's ſupremacy admitted, the covenant renounced, paſſive obedience affirmed, and all intentions diſclaimed of attempting any alterations in church or ſtate. At the ſame time, in compli-

liance with the requeſt of the country party, a clauſe was added, profeſſing an adherence to the Proteſtant religion, and ratifying an old confeſſion of faith, in which the doctrine of reſiſtance was inculcated; ſo that the teſt oath was found to be a collection of abſurdities, patched up in a hurry by people of different ſentiments.

Though the courtiers could not refuſe this clauſe, they propoſed, as a mark of reſpect, that all the princes of the blood ſhould be exempted from ſwearing to that article. This exception was warmly oppoſed by the earl of Argyle, a man alike diſtinguiſhed for his loyalty and patriotiſm. He ſaid, that the greateſt danger to which the Proteſtant religion was expoſed, muſt proceed from the perverſion of the royal family; and that nothing, of conſequence, could be more imprudent than the intended indulgence. For this ſuppoſed offence, he was tried and condemned upon an old and obſcure law of "Leaſing making;" by which it was declared criminal to belye the ſubject to his majeſty. The duke pretended, that Argyle's life was in no danger, and the only reaſon for puſhing the trial to ſuch extremities againſt him was in order to make him loſe ſome hereditary juriſdictions, which he poſſeſſed in the Highlands, and

where his family in that part of the kingdom uſed a dangerous authority. But Argyle could put no faith in the declarations of a man, who had been guilty of ſuch a glaring act of injuſtice, and who was univerſally known to be as cruel as he was unjuſt. He therefore made his eſcape from priſon, and fled into Holland; where he hoped to find that ſecurity, which he could not expect to enjoy in his native country.

In the beginning of the year, * the duke returned to England, in order to give his brother an account of his conduct; he was ſo favourably received, that he was not only allowed to take up his reſidence in London, but likewiſe to bear a ſhare in the adminiſtration. He therefore went back to Scotland, in order to bring up his family, and ſettle the government of that kingdom; and he choſe to take his paſſage by ſea. The ſhip ſtruck on a ſand bank and was loſt: the duke eſcaped in the long-boat; and it is affirmed, that, while many perſons of rank and quality were drowning, he was very careful to ſave ſeveral of his dogs and prieſts. It is likewiſe ſaid, that the boat might eaſily have contained more perſons, and

* A. D. 1682.

and that ſome who ſwam to it were thruſt off, and even had their hands cut in order to diſengage them. Some writers, who ſeem to think, that the blood royal can ſanctify almoſt any action, have been at great pains to apologize for this cruelty, and others have entirely denied the fact; but what makes it the more probable, is, that among thoſe who periſhed, were the earl of Roxborough, the lord Obryan, Sir Joſeph Douglas, and lieutenant Hyde, brother-in-law to the duke.

The duke, during his abode in Scotland, gave daily inſtances of his cruel and ſanguinary diſpoſition. He even aſſiſted perſonally at the torture of criminals, and looked on with tranquility, as if he were conſidering ſome curious experiment. On his departure, he took care to leave the government in the hands of thoſe, who would purſue the ſame arbitrary and deſpotic meaſures, which he himſelf had adopted. A gentleman of the name of Weir, was tried and condemned, becauſe he had kept company with one who had been in the rebellion; though that perſon had never been marked out by proceſs or proclamation.

A reprieve, indeed, was granted to Weir; but it was ſeriouſly reſolved to make uſe of the precedent. Above two thou-

thouſand perſons were outlawed on pretext of their converſation with rebels; and were hunted in their retreats by ſoldiers, ſpies, informers and cruel magiſtrates. It was common to put enſnaring queſtions to people, being quietly in their own houſes; ſuch as, "Will you renounce the covenant? Do you acknowledge the riſing at Bothwel to be a rebellion? Was the killing the archbiſhop of St. Andrews a murder?" and when the poor unhappy creatures refuſed to give an anſwer, they were inſtantly ſubjected to a capital puniſhment. Even women were put to death for this pretended crime. A number of fugitives, rendered frantic by oppreſſion, had publiſhed a declaration diſclaiming obedience to Charles Stewart, whom they called, as they, indeed, had great reaſon to conſider him, a tyrant.

From this incident the privy-council took occaſion to exerciſe a new ſpecies of oppreſſion. They diſtributed ſoldiers over the whole country, and ordered all commiſſion-officers, even the moſt inferior, to require every perſon, whom they met, to abjure the declaration; and upon refuſal inſtantly to ſhoot the delinquent. It were tedious as well as ſhocking to relate all the inſtances of perſecution, which at that time prevailed in Scot-

Scotland. The following may ſerve as a ſpecimen.

Three women were apprehended, and required to take the uſual oath, by which they were to abjure the ſeditious declaration above-mentioned. They all refuſed, and were condemned to ſuffer by drowning. One of them was an elderly woman: the other two were very young, one eighteen years of age, the other only thirteen. Even theſe licenſed murderers were aſhamed to put the youngeſt to death: but the other two were led to the place of execution, and faſtened to ſtakes within the ſea-mark at low-water, a circumſtance which rendered their death equally ſlow and dreadful.

The elderly woman was placed fartheſt in, and, by the riſing of the tide, was firſt ſuffocated. The younger, partly intimidated by the view of her companion's death, partly overcome by the importunities of her friends, was perſuaded to ſay, "God ſave "the king." The ſpectators immediately called out, that ſhe had yeilded obedience; and ſhe was looſened from the ſtake, major Winreim, the officer who ſuperintended the execution, again deſired her to ſign the abjuration; and upon her refuſal, he cauſed her inſtantly to be plunged into the water, where ſhe was drowned.

The

The court, notwithſtanding the late victory, which they had obtained over the country party, ſtill met with conſiderable oppoſition, eſpecially from the city, which was entirely in the hands of their enemies. The juries, in particular, appointed by the ſheriffs, were not likely to ſecond the views of the crown; as evidently appeared in the caſe of Shaftſbury and that of College. It was therefore a matter of great importance to the court to put affairs upon a different footing; and this they hoped to effect by means of Sir John Moor, the lord-mayor, who was entirely at their devotion, and had formerly been an Abhorrer.

He was perſuaded by ſecretary Jenkins, to aſſert the uſual privelege of his office, of naming one of the ſheriffs. Accordingly at the time of election, he drank to North, a Levant merchant, who accepted that expenſive office. The Whigs alledged, that being lately returned from Turkey, he was ignorant of the ſituation of affairs in his own country, and was therefore unqualified for his office. A poll was opened for the election of another ſheriff; and here began the ſtruggle. The two ſheriffs of the former year, ſupported by the majority of the common council, refuſed to acknowledge the mayor's right of naming one of the ſheriffs,

iffs, but affirmed that both ought to be hoſen by the liveries

Papillon and Dubois were the perſons whom the country-party reſolved to chuſe : Box was propoſed by the courtiers. Books were accordingly opened for the poll; but as the mayor would not ſuffer the elections to proceed for two vacancies, the ſheriffs and he parted, and each conducted a ſeparate poll. The country-party, who voted with the ſheriffs for Papillon and Dubois, were much more numerous than thoſe who voted with the mayor for Box: but as the mayor aſſerted, that his books were the only legal ones, he declared Box to be duly choſen.

The conteſt, however, did not end here. Box, afraid of incurring the reſentment of his fellow-citizens, fined off; and the mayor was obliged to proceed to a new election.

When the matter was moved in the common-hall, the country-party exclaimed, "no election; no election," and inſiſted, that, Papillon and Dubois, the two ſheriffs already elected, were the only legal magiſtrates. But as the mayor ſtill alledged, that Box alone had been legally elected, and that it was now neceſſary to ſupply his place, he opened the books anew, and during the hurry and confuſion of the citizens,

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a few of the mayor's friends elected Rich, without the knowledge or concurrence of the reſt of the liveries. North and Rich were accordingly ſworn ſheriffs for the year following; but ſo highly were the citizens incenſed againſt them, that they were obliged to have a guard of the trained-bands in entering upon their office. A new mayor, attached to the court, was ſoon after elected by means ſtill more violent and irregular.

The king having now made himſelf maſter of the city, proceeded to wreak his vengeance on all thoſe, who had dared to oppoſe his meaſures. The juries, named by the ſheriffs, were entirely ſubſervient to the views of the court and readily promoted all its projects. A commiſſion was iſſued for the trial of thoſe, who had occaſioned the diſorder, as it was called, at the late election of the ſheriffs. This diſorder was termed, in the commiſſion, "a riotous and unlawful aſſembly," and was repreſented as a crime of the deepeſt dye. Thirteen aldermen and ſubſtantial citizens, the leaders of the Whigs, were all tried and condemned in enormous fines.

Upon the firſt news of the duke's intending to leave Scotland, Pilkington, at that time ſheriff, a zealous friend of the country party, had broke out into this expreſſion; "he

" he has already burned the city, and he is " now coming to cut all our throats." For this reflection, the duke ſued Pilkington, and obtained damages to the amount of an hundred thouſand pounds. This ſentence was a flagrant violation of an excellent law, ratified in the great charter, by which it was decreed, that no fine ſhould extend to the total ruin of a criminal.

Sir Patience Ward, formerly mayor, who gave evidence for Pilkington, was proſecuted for perjury, and condemned to the pillory; a ſentence, which notwithſtanding the ignominy of the puniſhment, he was obliged to ſuffer in that very city, where he once bore the higheſt offices. Such were the bleſſed effects of the victory which the king had obtained over the Whigs; and from theſe ſpecimens might eaſily be inferred the arbirary principles, by which he was actuated.

But Charles was not ſatisfied with the advantage he had gained: he was determined to lay the city entirely at his mercy. A writ of *Quo Warranto* was iſſued againſt it: that is an enquiry into the validity of its charter.* It was pretended, that the city had forfeited all its privileges, and ought no longer to enjoy the rights of a corpora-

* A. D. 1683.

tion, by reaſon of two offences, which the court of aldermen and common council had committed.

After the great fire in 1666, all the markets had been rebuilt, and had been furniſhed with many conveniences; and in order to defray the expences of theſe reparations, the magiſtrates had impoſed a ſmall toll on all thoſe who brought any goods to market. This was ſuppoſed to be an uſurpation of powers, to which they had no title, and an encroachment on the prerogative of the king, and the privileges of the parliament, who alone had a right to impoſe taxes.

In the year 1679, the city had addreſſed the king againſt the prorogation of parliament, and had made uſe of the following expreſſion: "your petitioners are greatly "ſurprized at the late prorogation, whereby "the proſecution of the public juſtice of "the kingdom, and the making of neceſſa-"ry proviſions for the preſervation of your "majeſty and your Proteſtant ſubjects, "have received interruption." Theſe words were conſtrued into a ſcandalous reflection on the king and his meaſures. The ſuit was conducted on behalf of the crown by the attorney and ſolicitor generals; the cauſe

cauſe of the city was defended by Treby and Pollexfen.

Theſe laſt maintained, that, ſince the foundation of monarchy, no corporation had ever yet forfeited its privileges, and the thing itſelf implies a contradiction: that a corporation, as ſuch, was incapable of committing any crime or offence, and none were reſponſible for any iniquity, but the perſons themſelves, who had been guilty: that the members, in electing magiſtrates, had entruſted them only with legal powers; and when the magiſtrates had exceeded theſe powers, their acts were void, but could never ſubject the body itſelf to any crime or puniſhment: that, in any event, the offences imputed to the city, far from meriting ſo ſevere a puniſhment, were not even worthy of the ſmalleſt reproof: that all corporations were poſſeſſed of a power of making bye-laws: and the ſmalleſt borough in England had ever been allowed to exerciſe this power in a more ample manner than London had done in the above-mentioned inſtance: the citizens, having at their own expence, repaired the markets, which were built too on their own eſtates, might as reaſonably demand a ſmall recompence from thoſe who brought commodities thither, as a man might require rent for a

houſe, which he let to another: that thoſe who diſliked the condition, might abſtain from the market; and whoever paid, had done it voluntarily: that it was the acknowledged right of the ſubjects to petition his majeſty; nor had the city in their addreſs abuſed this privilege: that the king himſelf had often declared from the throne, and the parliament had often, that the nation was in danger from the Popiſh plot: which it is evident, could not be fully proſecuted during the prorogation of parliament: that the trial of the Popiſh lords was certainly obſtructed by the frequent prorogations; as was alſo the making of neceſſary laws, and providing for the ſecurity of the kingdom: that the loyalty of the city, no leſs than their regard for the public welfare, might prompt them to frame and preſent the petition; ſince it was allowed, that the king's life was every moment in danger from the Popiſh conſpiracy: that the city had not ſaid, nor even inſinuated, that the king was the cauſe of obſtructing juſtice; ſince it was confeſſed, that evil counſellors were alone accountable for that meaſure of government: and that it was ſtrange, that two public deeds, which had not during ſo long a time, ſubjected the authors of them to any, even the ſmalleſt penalty, ſhould now,

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contrary to all precedent, be puniſhed with ſo much rigour upon the corporation, which ever has been, and ever muſt be innocent,

Notwithſtanding theſe ſolid arguments, to which nothing could be oppoſed by the crown lawyers but the moſt frivolous objections, the judges gave ſentence againſt the city; and all its privileges were declared to be forfeited.

After this ſevere decree, the magiſtrates applied in a very humble manner to the king; and he agreed to reſtore their charter, but not till they had yeilded to the following conceſſions: that no lord-mayor, ſheriff, recorder, common-ſerjeant, town-clerk, or coroner ſhould be admitted to the exerciſe of his office without the conſent and approbation of his majeſty: that if the king diſapproved twice of the mayor or ſheriffs elected, he might by commiſſion appoint thoſe magiſtrates: and that no aldermen, in caſe of a vacancy, ſhould be choſen without the conſent of the court of aldermen, who, if they diſapproved twice of their choice, might by their own authority ſupply the vacancy.

The example of London was intended as a precedent for all the other corporations of the kingdom, who finding it in vain to ſtruggle with the court, were, moſt of

them, induced to reſign their charters into the hands of the king. Large ſums were demanded for reſtoring the charters; and all the places of power and profit were left entirely at the diſpoſal of the crown. In this manner, by a complication of violence and injuſtice, were all the national privileges deſtroyed; and the Tories gloried in having thus rendered the king abſolute; in other words, in having overturned the conſtitution of their country.

The earl of Shaftſbury, ſeeing the intereſt of the country-party entirely ruined, thought proper to withdraw into Holland. He lived in a private manner at Amſterdam; and for the greater ſecurity deſired to be admitted into the magiſtracy of that city; but his former violent councils againſt the Dutch commonwealth were remembered; and all applications from him were rejected. The miniſtry at preſent had no leiſure to hunt him in his retreat; and his death, which happened ſoon after, prevented the effects of their future vengeance. He was certainly a man of diſtinguiſhed abilities; but poſſeſſed of ſuch an immoderate ambition, that he was willing to ſacrifice every conſideration to the gratification of that predominate paſſion.

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We are now come to the diſcovery of the Proteſtant plot; that is, of the plot formed by Proteſtants againſt the king and the duke of York. But as it is difficult to conceive the propriety of that term in a Proteſtant country; and as ſome would willingly overlook the circumſtance of the king and the duke's being Papiſts, they rather chooſe to give it the name of Rye-houſe plot, from a houſe ſo called in the road to Newmarket, poſſeſſed by Richard Rumbald, one of the conſpirators, and where, it is pretended, a deſign was formed to kill the king and his brother.

It muſt be obſerved, that as the Popiſh plot had always been conſidered as a mere faction by the adherents of the court, the preſent conſpiracy had ſhared the ſame fate among thoſe who were of the contrary party.

The hiſtory, therefore, of this plot, ought to be read with great caution; ſince the hiſtorians of different ſides are entirely divided in their ſentiments; the one repreſenting as utterly falſe, what others aſſert to be undoubtedly certain. Were they both contented with ſimply relating the bare facts, without inſerting any fictions of their own, the reader might be enabled to form ſome kind of judgment; but their accounts are artfully calculated to favour the ſyſtem, which

which they have previouſly eſpouſed. A thouſand things are inſinuated, which have no foundation in truth: the witneſſes are either honeſt men or perjured villains, as beſt ſuits their purpoſe: numberleſs circumſtances are added, without the leaſt proof or authority, in order to give an air of probability to the moſt glaring inconſiſtences: and thus the reader, who is in queſt of truth, finds himſelf unexpectedly involved in an inextricable labyrinth of error and abſurdity, from which it is impoſſible to deduce any certain concluſion.

Impartial readers content themſelves with a ſimple peruſal of the plain facts, without preſuming to fix any opinion; becauſe they ſee no arguments ſufficiently ſtrong to determine their aſſent to either ſyſtem. Others, prepoſſeſſed in favour of one of the parties, follow implicitly, and without examination, the ſentiments of the hiſtorian who they peruſe, or perhaps reject them with as little reaſon.

To avoid, therefore, as much as poſſible the errors of other hiſtorians, nothing is inſerted in the following narrative but the depoſitions of the witneſſes and the defence of the priſoners, without the addition of any circumſtance that is not acknowledged by both parties.

On

On the twelth day of June, Joſiah Keeling diſcovered the plot, real or pretended, to the lord Dartmouth and ſecretary Jenkins, before whom he made open confeſſion of the whole matter, and ſubſcribed his depoſitions. But afterwards reflecting, that his ſingle evidence would not be conſidered as legal proof, he prevailed upon Goodnough, under-ſheriff of London, and one of the conſpirators, to admit his brother John Keeling to the next meeting that ſhould be held about the plot.

This point being gained, the two brothers delivered their joint teſtimony on the fourteenth of June. In conſequence of their depoſition, the king iſſued a proclamation for apprehending colonel John Rumſey and Richard Rumbald malſter, who had both ſerved in Cromwell's army, Richard Nelthorpe, Edward Wade, Richard Goodnough, Captain Walcot, William Thomſon, James Burlon, and William Hone; for the ſeizure of any one of whom a reward of a hundred pounds was offered.

Rumſey ſurrendered himſelf the very next day; and being examined by ſecretary Jenkins, he made a full confeſſion of all that he knew. His depoſition was ſoon after confirmed by the evidence of two other witneſſes, Walſh and Shepard; and on the twenty-

twenty-eight of June, there appeared an other proclamation for apprehending the duke of Monmouth, the lord Grey, Sir Thomas Armstrong, and Robert Ferguson. In a few days, the lord Howard of Escreek surrendered himself; and upon his information, warrants were issued for seizing the earl of Essex, the lord Russel, and several others, who were accordingly secured.

The plot is said to have consisted in the following particulars: to attack the king's guards: to seize the persons of the king and his brother: if that attempt should miscarry, to assassinate the king and the duke in a hollow way near the Rye-house, in their return from Newmarket; and, the better to prevent any opposition, to excite insurrections in London and other parts of the kingdom.

The prisoners were not suffered to languish long in confinement. Walcot was first brought to his trial. The evidences against him were Rumsey, West, and one Bourne, a brewer.

Rumsey swore, that at a meeting in West's chamber, where the deponent was present, and where a list was produced of the assassins, the prisoner agreed to join with them, and offered to command a party that should charge the guards; that he undertook to go

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and view Rumbald's houſe, and bought a horſe for that purpoſe: that he was likewiſe preſent at four other meetings; one for dividing London into twenty parts, in order to raiſe an inſurrection; another for concerting a ſcheme to purchaſe arms after the diſappointment at the Rye-houſe; a third held immediately before the diſcovery of the plot, and a fourth a few days after,

Weſt deposed, that the priſoner, upon the election of the London ſheriff, ſaid, "will the people do nothing to ſecure themſelves?" and told the deponent, that an inſurrection was projected to take place within three weeks or a month at fartheſt: that he expected to be made a colonel of horſe, and aſked the deponent, "whether he would chooſe to have any command under him?" that upon his refuſal, he deſired him to lend him a ſuit of armour; that the ſaid Walcot informed him of ſeveral deſigns to attack the king and the duke: and that in the affair of the Rye-houſe, he undertook to command that party that was to charge the guards.

Bourne teſtified, that Walcot uſed to come to Ferguſon, when he lodged at his houſe; that he and ſeveral others met at the Dragon on Snow-hill, and frequently at other places, in order to concert a ſcheme for raiſing an in-

inſurrection, and ſecuring the king and the duke: that the priſoner was preſent at almoſt all their meetings, at leaſt at three different ones; and particularly at a conſult held at captain Tracey's, where it was reſolved to ſtand with ſword in hand, and to kill Keeling for making the diſcovery.

The evidence of theſe was confirmed by a letter, wrote by the priſonner himſelf to ſecretary Jenkins, and in which he had promiſed, "that, if his majeſty would grant "him a pardon, he would diſcover all that "he knew either in England, Scotland, or "Ireland."

Walcot's defence conſiſted chiefly in a flat denial of having any concern in the deſign of aſſaſſinating his majeſty. He ſaid, he was fully ſenſible, that if he had undertaken to charge guards, while others ſhould kill the king, he would be equally guilty with thoſe who had committed the murder; and that he could prove by undoubted teſtimony, that he was ill of the gout during the whole time that the king was at Newmarket. To this Weſt replied, that he remembered it well, by a good token, for that the priſoner had ſaid, "he was afraid, "when the time come, he ſhould not be "able to draw on his boots." Walcot added, that he came accidently to their meetings

ings only to hear news; and that what he had promiſed to diſcover, he had only heard from Ferguſon. In concluſion, he was brought in guilty of high-treaſon by the jury. Hone and Rouſe were likewiſe tried and condemned, and in a few days were executed along with Walcot.

The condemnation of theſe three men was probably intended as a preparative for the trial of lord Ruſſel, and ſerved to impreſs the public with a belief of the plot, as well as with horror againſt it. The witneſſes produced againſt Ruſſel were Rumſey, Shepard, and lord Howard.

Rumſey ſwore, that in the end of October 1682, there met at Mr. Shephard's in Abchurch-lane, the duke of Monmouth, lord Grey, lord Ruſſel the priſoner, Sir Thomas Armſtrong, and Robert Ferguſon: that the earl of Shaftſhury, who was likewiſe concerned in the conſpiracy, deſired him to go to Shepard's and enquire what reſolution they had taken about the riſing at Taunton; that he went accordingly, and delivered his meſſage, to which he received for anſwer, that it was found neceſſary to delay the deſign, and that therefore Shaftſbury muſt, for ſome time, reſt contented: that this anſwer was given by Ferguſon, but was readily approved by all the company: that

a propoſal was made for taking a ſurvey of the guards; and that Monmouth, Grey, and Armſtrong undertook to view them.

Shepard depoſed, that his houſe had been beforehand beſpoke by Fenguſon for the ſecret meeting of the conſpirators, and that he had been careful to keep all his ſervants from approaching them, and had ſerved them himſelf: that their diſcourſe ran chiefly upon the means of ſurprizing the guards; and it was agreed, that Monmouth and his friends ſhould take a ſurvey of them: that the report, which they brought at their next meeting, was, that the guards were remiſs, and that the deſign was very practicable; though he could not be poſitive, whether any reſolution was taken of carrying the ſcheme into execution: that the priſoner, he thought, was preſent at both theſe meetings, but he was ſure he was at one of them; and that a declaration had been read by Ferguſon, repreſenting the plan of the intended inſurrections, and diſplaying the grievances of the nation; though he could not be certain, that this paper was read in Ruſſel's preſence.

Lord Howard begun with a long harangue about the plot in general, which ſeemed to be deſigned to prejudice the jury; after which he depoſed to the following effect: that

that upon the earl of Shaftſbury's flight, the principal perſons, concerned in the conſpiracy, began to conſider, that they had gone too far to recede; and that it would be neceſſary to have ſome general council, in order to conduct their ſchemes with the greater ſucceſs: that they accordingly erected a cabal, which uſually conſiſted of ſix perſons, viz. the duke of Monmouth, the earl of Eſſex, lord Ruſſel, Algernon Sidney, Mr. Cambden, the younger, and the deponent: that this cabal held two meetings, one at Hambden's another at Ruſſel's: that at the firſt meeting it was agreed to begin the inſurrection in the country before the city: the places were fixed, the proper quantity and kind of arms adjuſted, and the whole plan of operations concerted: that at the ſecond meeting, the diſcourſe turned chiefly upon perſuading the earl of Argyle and the diſcontented Scots, to engage in the conſpiracy: and that the principal management of that affair was entruſted to Sidney, who ſent Aaron Smith into Scotland with proper inſtructions: that in theſe conſults no queſtion was put, nor votes collected, but there was no contradiction; and as he took it, all of them, and the priſoner among the reſt, gave their conſent.

Ruſſel, in his defence, obſerved, that he eſteemed himſelf extremely unhappy in ſtanding charged with ſo high a crime for the treaſonable ſpeeches of other people: that he was unverſed in the law, unaccuſtomed to public ſpeaking, and a perfect ſtranger to things of this nature: the uncommon precipitation with which his trial, notwithſtanding his ſolicitations to the contrary, had been hurried on, had deprived him of many advantages, which he ſhould otherwiſe have enjoyed; but the gentlemen of the jury, he hoped, were men of conſcience, who valued innocent blood, and would conſider, that the witneſſes were obliged to ſwear againſt him in order to ſave themſelves: that the time was elapſed within which the proſecution ſhould have been commenced, which by an law of the thirteenth of the preſent reign, ſhould be in the ſpace of ſix months: and that in any event, the deſign of levying was not treaſon, unleſs it appeared by ſome overt act.

He then aſked upon what ſtatute he was indicted, and was told, that it was upon the ſtatute of the twenty-fifth of Edward the third. To this he objected, that the affair at Mr. Shepard's houſe was only proved by one witneſs, whereas the law required the teſtimony of two. But the judges replied, that it was not neceſſary that the two witneſſes

ſhould

ſhould teſtify the ſame preciſe act; it was ſufficient, that they both teſtified any act of the ſame treaſon. This diſtinction, however, was a mere ſophiſm, and a direct violation of that ſalutary law.

For a further defence of his lordſhip, there appeared in his behalf the duke of Somerſet, the earl of Angleſey, Mr. Edward Howard, the lords Cavendiſh and Clifford, doctors Fillatſon, Burnet, Cox, Fitz-williams, Mr. Gore, and Mr. Spencer. Some of theſe teſtified, that the lord Howard, before he was taken, declared, that he believed lord Ruſſel to be entirely innocent, that, for his own part, he had nothing to ſay againſt him. Others ſpoke of his lordſhip's private character, and repreſented his great worth and probity, his virtuous and ſober life, and conſequently the improbability of his being concerned in ſuch a conſpiracy. Theſe arguments, however, had no influence upon the jury, who were all zealous royaliſts, and who after a ſhort conſultation, brought in the priſoner guilty.

This ſentence was conſidered as the moſt flagrant act of injuſtice that ever was attempted in England; the lord Ruſſel having been condemned for words ſpoken in his hearing, which can never by any interpretation be conſtrued into treaſon. The lord

Howard incurred ſuch a load of odium, by the ſhare, which he had in this matter, that his company was ſhunned by all good men, as if he had been infected with the plague or peſtilence. Some thought that he had been reconciled to the king by the mediation of the dutcheſs of Portſmouth, and that he had been engaged to give this evidence in conſequence of a promiſe which he had made to his majeſty.

But what was ſuppoſed to have chiefly prejudiced the jury againſt lord Ruſſel, was an accident which happened during the trial. The earl of Eſſex, priſoner in the Tower, was found dead in his chamber, with his throat cut from ear to ear with a razor. The intelligence was immediately conveyed to the Old-Bailey, and communicated to the judges and the king's council, who from thence took occaſion to infer the reality of the plot; ſince the earl of Eſſex, rather than ſtand a trial, had choſen to put an end to his own life. The coroner's inqueſt, it is true, after an examination of the dead body, found the earl guilty of ſuicide; but this was not able to remove the ſuſpicion, entertained by many, that the deed was committed by orders of the king and the duke, who were that very morning in the Tower,

Tower, where they had not been for twelve years before.

Several other circumſtances concurred to ſtrengthen this ſuſpicion. It was affirmed, that it was abſolutely impoſſible for a man to cut his own throat from ear to ear: that the blood ſprinkled on the floor in the room was plainly marked with the prints of a ſtrange foot; and that, after the perpetration of the crime, the razor was thrown out of the window, and picked up by a little girl: that before the coroner came to execute his office, care was taken to waſh the room, and to ſtrip the body and have it naked: and that when he demanded to ſee the cloaths, he was told, that that was a circumſtance with which he had no concern; the body was the ſole object of his attention.

The moſt plauſible argument in favour of the king and the duke, is, that according to the declaration of ſeveral perſons, the earl of Eſſex was wont to maintain the lawfulneſs of ſelf-murder; and that his counteſs and brother, Sir Henry Capel, owned the juſtice of the coroner's verdict. It is certain, however, that his ſon, who ſucceeded him in his title and fortune, was of a very different opinion, and was frequently heard to ſay, that he believed his father to

have

have been murdered by a Frenchman, who was in his ſervice, and who diſappeared immediately after the commiſſion of the fact.

The king was not ignorant of the ſuſpicions he had incurred, and in order, if poſſible, to remove them, he publicly declared in print, that he was deeply afflicted for the death of the earl of Eſſex; becauſe it deprived him of an opportunity to exerciſe his clemency, and to ſhow the high regard which he had for the memory of the late lord Capel. But this artifice, inſtead of ſatisfying the public, ſerved only to increaſe their ſuſpicions, and to make them imagine, that the king had mentioned the name of lord Capel, ſolely with a view of inſinuating the great difference between him and his ſon.

As Ruſſel was nearly related to all the conſiderable families in the kingdom, great intereſt was made in order to ſave his life; even money, to the amount of one hundred thouſand pounds, was offered to the dutcheſs of Portſmouth by the earl of Bedford, father to the unhappy nobleman. The king, however, who was reſtrained by the duke, lent a deaf ear to all application. The priſoner had been extremely active in encouraging and promoting the excluſion-bill; and that was a crime, which, in the eyes

eyes of the court, could never be forgiven.

Ruſſel's conſort, a woman of great beauty and merit, daughter and heireſs of the good earl of Southampton, threw herſelf at the king's feet, and pleaded with many tears the loyalty and ſervices of her father, as an attonement for thoſe errors, into which her huſband had been unhappily betrayed. Theſe ſupplications were the laſt inſtance of female weakneſs, (if they merit the name) which ſhe diſcovered. Finding all her intreaties ineffectual, ſhe ſummoned up all her courage, and not only fortified herſelf againſt the fatal blow, but endeavoured by her example to confirm the reſolution of her unfortunate lord. With a tender but compoſed air they took leave of each other on the day of his execution. "The bitterueſs of "death is now paſt,", ſaid he when he turned from her.

Lord Cavendiſh had always maintained an intimate friendſhip with him, nor did he forſake him in the preſent calamity. He generouſly offered to effect his eſcape, by exchanging cloaths with him, and remaining a priſoner in his room. Ruſſel refuſed to ſave his own life, by an expedient which might involve his friend in ſo many calamities. When the duke of Monmouth ſent him

him a meſſuage, importing that he would ſurrender himſelf, if he thought that ſtep would contribute to his ſafety; "it will be "no advantage to me," ſaid he, "to have "my friends die with me."

Some of his expreſſions diſcover, not only compoſure, but even good humour on this melancholy occaſion. On the day that preceded his execution his noſe beginning to bleed; "I ſhall not now let blood to "divert this diſtemper," ſaid he to doctor Burnet who attended him, "that will be "done to morrow." A little before the ſheriffs conducted him to the ſcaffold, he wound up his watch, "Now I have done," ſaid he, "with time, and henceforth muſt "think ſolely of eternity."

The ſcaffold was erected in Lincoln's-Inn-fields, a place very diſtant from the Tower; and it was probably intended, by conducting Ruſſel through ſo many ſtreets, to diſplay the triump of the court over the country-party. As he was the moſt popular man in the kingdom, his fall drew tears from the eyes of every one, who had the leaſt tincture of humanity. In his ſpeech, which he delivered to the ſheriffs, he ſolemnly denied his having any concern in the deſign againſt the life of his majeſty: he profeſſed his entire belief in the Popiſh plot, and

and his firm attachment to the Proteſtant religion. With ſurprizing fortitude, he laid his head on the block, and, at two ſtrokes, it was ſevered from his body.

The next priſoner that was brought to his trial was the famous Algernon Sidney: this gallant perſon, ſon to the earl of Leiceſter, had been deeply concerned in the war againſt the late king; and though entirely free from enthuſiaſm, he had ſo far concurred in all the meaſures of the republicans, that he had been named as one of the commiſſioners, who tried and condemned that monarch: he declined however to take his ſeat among thoſe judges. Cromwell's uſurpation he even oppoſed with the utmoſt activity; and after exerting all his endeavours to prevent the Reſtoration, he determined to take no benefit of the general indemnity, but choſe to remain in voluntary exile, rather than ſubmit to a goverment and family which he abhorred.

During the exiſtence of the republican party, he was extremely zealous in every ſcheme, which could tend to ſtrengthen their cauſe; but at laſt in 1677, finding it neceſſary for his private affairs to return to England, he had ſolicited and obtained the king's pardon. When the factions, excited by the Popiſh plot, began to run high,

Sidney,

Sidney, inſpired with an ardent love of liberty, had inſtantly engaged in the popular party; had warmly promoted the excluſion-bill; and oppoſed, with all his intereſt and eloquence, every deſign and meaſure of the court.

By this bold and reſolute conduct, he had incurred the reſentment of the king and the duke: but this ſurely could be no reaſon why he ſhould be condemned by an unjuſt ſentence; and the law was evidently wreſted in order to effect his ruin. When he was brought to his trial, a number of witneſſes appeared, who ſwore to the reality of the plot in general; but had nothing to ſay againſt him in particular.

The only evidence who depoſed againſt him was lord Howard; and as the law required two witneſſes, an infamous expedient was adopted in order to ſupply this defect. In ſearching the priſoner's cloſet, ſome diſcourſes on government were found; where he had maintained principles, inconſiſtent indeed with a deſpotic government, but ſuch as the beſt and moſt dutiful ſubjects in all limited monarchies have ever been known to embrace; the original contract; the ſource of power from a conſent of the people; the lawfulneſs of reſiſting tyrants, and the

ALGERNOON SIDNEY

Engrav'd for Rider's History of England

the preference of liberty to the abſolute dominion of a ſingle perſon.

Theſe papers were ſuppoſed to be equivolent to a ſecond witneſs, and to even many witneſſes. The priſoner replied, that thoſe papers could not be proved to be his, unleſs by a ſimilitude of hands; an argument, too vague and inconcluſive ever to be admitted as a proof in criminal proſecutions: that even granting him to be the author, he had compoſed them entirely for his private amuſement, had never publiſhed them to the world, or ſo much as communicated them to a ſingle perſon: that they plainly appeared, by the colour of the ink, to have been written a long time before, and could never be admitted as evidences of a preſent conſpiracy againſt the government: and that where the law requires two witneſſes, one witneſs could not be conſidered as ſufficient, even though ſupported by the moſt ſtriking circumſtances; much leſs by a circumſtance ſo weak and precarious.

All theſe arguments, which were ſo ſolid and convincing, and to which nothing material could be objected, had no influence on the court. The cruel and inhuman Jefferies was now chief-juſtice; and by his direction a partial jury was eaſily perſuaded to give a verdict againſt Sidney. In a few

days he was brought to the ſcaffold: he complained, and with reaſon, of the iniquity of the ſentence; which, indeed, was ſo glaring, as to excite the indignation of every candid and impartial judge. But he gloried, he ſaid, in ſuffering for the cauſe of liberty, in which from his earlieſt youth he had ever been engaged.

Howard was likewiſe the ſole witneſs againſt Hambden; and his evidence was not confirmed by any very material circumſtance. The crown lawyers therefore diſpaired of being able to convict the priſoner of treaſon; the indictment was laid only for a miſdemeanour, and ſentence was given againſt him. The fine impoſed was enormous; no leſs than forty thouſand pounds.

Holloway, a merchant of Briſtol, accuſed of being concerned in the conſpiracy, had eſcaped to the Weſt-Indies; and was now brought over. He had been out-lawed; but the year allowed him for ſurrendering himſelf, was not yet elapſed. He was therefore indulged with the offer of a trial; but as he had been induced by the hopes of a pardon, to confeſs his knowledge of a conſpiracy for an inſurrection, he thought it more prudent to throw himſelf on the king's mercy. Notwithſtanding this ſubmiſſion, he

he was executed upon the ſentence of outlawry.

Sir Thomas Armſtrong, who had been apprehended in Holland by Chidley, the king's miniſter, and ſent over, was preciſely in the ſame ſituation with Holloway: but the ſame favour or rather juſtice was denied him. The lawyers alledged, that unleſs he voluntarily ſurrendered himſelf within the time preſcribed, he could have no right to demand a trial; not conſidering that the ſeizure might poſſibly be the accident which prevented him.

The king was highly incenſed againſt this gentleman, by whom he believed the duke of Monmouth to have been ſeduced from his duty: he alſo affirmed, that Armſtrong had been ſuborned by Cromwell to murder him; but this imputation the priſoner proved to be abſolutely falſe and groundleſs. Theſe were the reaſons of that cruel treatment, which he now ſuffered. It was ſuſpected, that ſufficient evidence of his guilt could not be produced: and that even the packed juries, which were now impanelled, and which were entirely directed by Jefferies and other wicked judges, would not give ſentence againſt him. He was therefore executed without trial, and his limbs diſperſed through the principal towns of the kingdom.

Some remarkable trials, which happened about this time, though they have no connection with the Rye-house conſpiracy, ſerve to diſcover the temper both of the judges and the juries. Oates was accuſed of having called the duke a Popiſh traitor; was found guilty, fined to the amount of a hundren thouſand pounds, and condemned to priſon till he ſhould make payment. A like fine was impoſed upon Dutton Colt for a like offence.

Sir Samuel Barnardiſton was amerced in ten thouſand pounds; becauſe, in ſome private letters, which had been intercepted, he had taken the liberty of blaming the public meaſures. This gentleman had incurred the reſentment of the court, in conſequence of his having been foreman of that jury, which rejected the bill againſt Shaftſbury. A pretext was therefore invented for puniſhing him; though ſuch a precedent muſt ſurely be condemned by every lover of liberty, and is in itſelf ſufficient to deſtroy all confidence in private friendſhip and correſpondence.

The duke of Monmouth had abſconded on the firſt diſcovery of the plot, and the court could get no intelligence of the place of his reſidence. At laſt Halliſax, who began to dread the two great prevalence of the royal party, and

and who imagined, that Monmouth's intereſt would prove the beſt counterpoiſe to the duke's, diſcovered his retreat, and perſuaded him to write two letters to the king, full of the moſt humble and ſubmiſſive expreſſions. The king's fondneſs was revived, and he allowed Monmouth to come to court.

He was introduced by ſecretary Jenkins, who inſtantly withdrew, and left him alone with the king and the duke of York. What paſſed at this interveiw can only be learned from the report of thoſe who were preſent. It is affirmed, that Monmouth threw himſelf at the king's feet, ackowledging his guilt and aſking his majeſty's pardon. All this is very probable; but what follows admits of ſome doubt, namely, that he confirmed whatever had been depoſed againſt lord Ruſſel and Algernon Sidney, and even declared, that all the conſiderable diſſenting miniſters were privy to the conſpiracy. As this report could only come from the king and his brother, who were both intereſted in making the public believe theſe aſſertions, the reader is at full liberty to pay it what degree of credit he thinks moſt proper. The king, however, was ſo well ſatisfied with Monmouth's behaviour, that he ordered his pardon to be expedited with

all poſſible diſpatch; but afterwards hearing, that the people were ſtill incredulous, and even had inſinuated that Monmouth had made no confeſſion, he prevailed upon him to write and ſubſcribe the following letter.

"I have heard of ſome reports of me, "as if I ſhould have leſſened the credit of "the late plot, and endeavoured to weaken "the evidence given againſt thoſe who have "died by the hands of juſtice. Your ma- "jeſty and the duke know, how ingenuouſly "I have owned the late conſpiracy; and "though I was not conſcious of any deſign "againſt your majeſty's life, I yet lament "my having had ſo great a ſhare in the "other parts of that conſpiracy. I have "therefore, Sir, taken the liberty to put "this into writing for my own vindication: "I beſeech you to look forward, and en- "deavour to forget the faults you have for- "given me. I will take care, on my part, "never to commit any more againſt you, "or incur the danger of being miſled from "my duty; but make it the ſtudy of my "life to deſerve the pardon which your ma- "jeſty hath granted to your dutiful Mon- "mouth."

It cannot be denied, that Monmouth writ, at leaſt ſubſcribed this letter; but in a few days, he repented of the ſtep he had taken, and

and with great earneſtneſs importuned the king to return him the paper. The king complied with his requeſt; but at the ſame time, was ſo highly incenſed at his behaviour, that he baniſhed him from his preſence for the future.

What motive could induce Monmouth to re-demand his letter it is difficult to determine. Some think it was in conſequence of the advice of his friends, who found means to convince him, that, by this ſtep, he had thrown himſelf upon a dangerous precipice; ſince the letter might one day be turned to his ruin. Some imagine, that it was owing to a ſcruple of conſcience, in having aſſerted an abſolute falſhood, and that he could not be eaſy until he had recovered the letter. Others pretend, that the whole was a contrivance between the king and his ſon, in order to gratify the duke of York; and that his majeſty deſired Monmouth to re-demand the letter, leſt the duke might ſometime employ it to effect his deſtruction.

This laſt conjecture ſeems to be confirmed by the king's behaviour to Monmouth after his retreat. He withdrew into Holland, where he was cordially received by the prince of Orange; and the king was ſo well pleaſed with this mark of friendſhip, that he could not forbear expreſſing his gra-

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titude to the prince. He likewise continued, unknown to his brother, to correspond with Monmouth, and even supplied him occasionally with money.

While the king and his ministers thus proceeded to wreak their vengeance on all their enemies, the university of Oxford distinguished themselves in a very particular manner. They passed a solemn decree, condemning certain propositions, extracted from Milton, Buchanan, Hobbes, Goodwin, Knox, Baxter, and other modern authors.

The propositions were; that all civil authority is originally derived from the people: that there is a mutual compact, tacit or express, between a prince and his subjects; and if he fails in the duty of protection, they are absolved from that of allegiance: that if lawful governours become tyrants, and violate the laws of the land, they forfeit their right to the supreme power: that the sovereignty of England is lodged in the three estates, of the king, lords, and commons; and that the king is but a co-ordinate power, and may be over-ruled by the other two: that priority of birth or proximity of blood give no indefeasible right to rule or government; and that it is lawful, on certain occasions, to preclude the next heir from the succession

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to the throne: that it is lawful for ſubjects, without the conſent, and even againſt the command, of the ſupreme magiſtrate, to enter into leagues, covenants, and aſſociations for the defence of their liberties and religion: that ſelf-preſervation is the fundamental law of nature, and ſuperſedes the obligation of all others, whenever they come in competition with it: that the Chriſtian doctrine concerning the patient ſuffering of injuries, is not inconſiſtent with the right of reſiſting the higher powers, in caſe of perſecution for religion: that Chriſtians are not obliged to give paſſive obedience, when the prince commands any thing contrary to the laws of the ſtate; and the only reaſon, why the primitive Chriſtians choſe rather to die than to reſiſt, was, becauſe Chriſtianity was not eſtabliſhed by the laws of the empire: that poſſeſſion and ſtrength give right to govern; ſucceſs in a cauſe, proclaims it to be lawful and juſt; and to purſue it, is to comply with the will of God, becauſe it is to follow the conduct of his providence: that, in a ſtate of nature, there is no difference between good and evil, right and wrong; and the ſtate of nature is a ſtate of war, in which every man hath a right to all things: that the foundation of civil authority is this natural right, which

which is not given, but left to the ſupreme magiſtrate, upon men's entering into ſocieties; and that not only a foreign invader, but even a domeſtic rebel, puts himſelf again into a ſtate of nature; and acquires the ſame right over the life of his prince, which the prince for the moſt heinous crimes poſſeſſes over the lives of his ſubjects: that every man, after entering into ſociety, retains a right of defending himſelf by force; nor can he transfer that right to the commonwealth, when he conſents to the union, by which a government is eſtabliſhed; and if a number of men have already reſiſted the government, ſo as to incur the penalty of death, they have then a right to join together for their mutual aid and aſſiſtance; and their bearing arms to defend their perſons, or even to maintain the power they have gained, is no freſh act of injuſtice: that an oath ſuperadds no obligation to pacts; a pact obliges no farther than it is credited; and, therefore, if a prince by any word or action diſcover, that he believes not the promiſes of fealty and allegiance, which are given him by his ſubjects, he thereby abſolves them from the duty of ſubjection, and notwithſtanding their oaths and promiſes, they may lawfully reſiſt and deſtroy their ſovereign: that if a people, who, by

oaths

oaths and promiſes, are bound to obey a certain ſovereign, ſhould unjuſtly depoſe him, and contrary to their former engagements, ſhould elect and ackowledge another governour, they are obliged to ſubmit to this latter ſovereign rather than the former: that all oaths are unlawful, and contrary to the word of God; that an oath obliges, not in the ſenſe of him who impoſes, but of him who takes it: that dominion is founded in grace: that the powers of this world are uſurpations on the prerogatives of Jeſus Chriſt; and it is the duty of the elect to deſtroy them, in order to place Chriſt upon his throne: that the Preſbyterian government is the ſceptre of Chriſt's kingdom, to which kings as well as others are bound to ſubmit; and the king's ſupremacy in eccleſiaſtical affairs, aſſerted by the church of England, is injurious to Chriſt, the ſole king and head of the church: that ſuperiors have no right to make any innovations in divine worſhip, but ſuch as are in their own nature neceſſary: that wicked kings and tyrants ought to be put to death; if the judges and inferior magiſtrates will not do their duty, the power of the ſword devolves to the people; and if the major part of the people refuſe to exerciſe this power, the miniſters may then excommunicate ſuch a ſo-

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vereign; after which it is lawful for his subjects to kill him, as the people killed Athaliah, and as Jehu destroyed Jezabel: that after compleating the cannon of scripture, the people of God, in all ages, may expect new revelations for a rule of their actions; and that is lawful for a private man, having an inward motion from God, to kill a tyrant: that the example of Phineas is to us instead of a command; for what God hath commanded or approved in one age, must needs oblige in all: that king Charles the first was lawfully put to death; and his murderers were the blessed instruments of God's glory in their generation: and that the same monarch made war upon his parliament; and in such a case, the king may not only be resisted, but ceases to be king.

Some of these propositions are evidently false; some inconsistent with all regular government; but others are not only just and rational, but indeed are the only principles, upon which a free and limited constitution can be founded. The Oxonians therefore, in condemning them all by the lump, while they partly discovered their good sense and loyalty, incurred, at the same time, the imputation of being enemies to the natural rights and liberties of mankind.

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The king endeavoured to increaſe his popularity by every poſſible expedient; and conſcious that the ſuſpicion of Popery was what excited the moſt terrible apprehenſions, he thought proper to beſtow his niece, the lady Anne, upon prince George, brother to the king of Denmark. No arguments, however, could induce him to ſummon a parliament, or truſt the nation with the election of a new repreſentative. Though his coffers were almoſt exhauſted, he choſe rather to ſubmit to that inconvenience, than try an experiment, which, by collecting his enemies into a body, might render their power much more formidable.

The duke likewiſe zealouſly oppoſed the calling of a parliament, and even engaged the king in meaſures, which could have no other tendency, than to produce an incurable rupture between the court and that aſſembly. Williams, who had been ſpeaker of the two laſt parliaments, was proſecuted for warrants, which he had iſſued, in obedience to the order of the houſe; Danby, and the Popiſh lords, who had hitherto remained priſoners in the Tower, were now admitted to bail; and the duke was reſtored to the office of admiral without taking the teſt. Theſe ſteps were ſo inconſiſtent with the laws lately paſſed, and ſo injurious to

the privileges of the commons, that it was not likely that any future parliament would pass them over without the severest punishment.

The king's conduct in foreign affairs was perfectly agreeable to his domestic administration. While he wickedly imployed his time and attention in endeavouring to inslave his own subjects, he patiently suffered the French monarch almost to enslave the rest of Europe. Notwithstanding the peace of Nimeguen, Lewis still maintained a numerous army; and by his preparations he every day rendered himself more formidable to his neighbours.

He now acted as if he were the absolute sovereign of Europe, and as if all other princes must submit to his authority. He erected chambers at Metz and Brisac, for recovering such territories as had ever belonged to any part of his new conquests. These inquired into titles buried in the most remote antiquity. They summoned the neighbouring princes to appear before them, and issued decrees, expelling them from the contested territories. The important town of Strasbourg, an ancient and a free state, was seized by Lewis: Aloft was demanded of the Spaniards on a most weak, and even absurd pretext; and upon their refusing

fuſing to yield it, Luxembourg was inveſted, and ſoon after reduced. Genoa was bombarded, becauſe the inhabitants had engaged to furniſh the Spaniards with a certain number of gallies; and in order to avoid a more ſevere fate, that ſtate was obliged to ſubmit to the moſt mortifying conditions. The empire was inſulted in its head and principal members; and employed no other means for redreſs, than impotent complaints and remonſtrances.

Spain was ſo incenſed at the inſolent conduct of her haughty enemy, that without conſidering her own weakneſs, ſhe declared war againſt him; hoping that the other powers of Europe, moved by a ſenſe of common danger, would fly to her aſſiſtance. The prince of Orange, indeed, exerted his utmoſt endeavours, in order to defeat the deſigns of Lewis. In the year 1681, he even made a journey to England, and tried to perſuade the king to contract a cloſer alliance with the confederates. He likewiſe adviſed the States to make an augmentation of their forces; but ſeveral of the provinces, and even the town of Amſterdam, had been ſecured in the French intereſts, and the propoſal was rejected. The prince's enemies alledged, that, conſidering the diſpoſition of the Engliſh ſovereign, and the

uſual fluctuation of the Engliſh councils, nothing could be more imprudent in the republic, than to engage in a war with ſo powerful a monarch as Lewis.

Charles, indeed, never diſcovered the leaſt jealouſy of the growing power of France: on the contrary, he ſeemed to take pleaſure in promoting the grandeur of that ambitious nation; and it is even affirmed, that Clifford, one of his moſt favoured miniſters, had the meanneſs and inſolence to declare, that it was more eligible for the king to be viceroy under a great and generous monarch, than a ſlave, as he termed it, to five hundred of his own ſubjects.

Happy, however, as the king ſeemed to be in appearance, he was far from being ſo in reality. Whether he found himſelf ſtraitened for want of money, or dreaded the conſequences of his preſent unpopular meaſures, it is hard to determine. Perhaps the headſtrong, imperious temper of the duke, by engaging him in dangerous attempts, filled him with fear and apprehenſion. He was one day overheard to ſay, in oppoſing ſome of the duke's violent councils, "Brother, I "am too old to go again to my travels: "you may, if you pleaſe."

Whatever was the cauſe of the king's uneaſineſs, it is generally ſuppoſed, that he

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was meditating ſome change of meaſures, and had formed a new plan of government. He was reſolved, it is ſaid, to ſend the duke into Scotland, to recall Monmouth, to convoke a parliament, to diſcard all his unpopular miniſters, and to throw himſelf entirely on the good-will and affection of his ſubjects. This laudable deſign, however, if he really entertained it, he did not live to execute. In the begining of the year,* he was ſeized with a ſudden fit, which reſembled an apoplexy; and though he was recovered from it by bleeding, he languiſhed only for a ſhort time, and then expired on the ſixth day of February, in the fifty-fifth year of his age, and twenty-fifth of his reign.

He was bleſſed with ſo good a conſtitution of body, and had ever been ſo remarkably careful of his health, that his ſudden death ſtruck a general ſurprize into his ſubjects, and excited a ſuſpicion, that he had been taken off by poiſon. Much has been ſaid by different authors both in ſupport and refutation of this opinion; and after comparing all circumſtances, it ſeems extremely difficult to determine, on which ſide the probability lies. The crime is imputed to the Catholics, and the motive aſſigned for it is their apprehen-

* A. D. 1685.

ſion, that the new plan of government, which the king had projected, would, if carried into execution, have entirely blaſted the proſpects they had formed by the ſpeedy acceſſion of the duke to the throne. It is allowed, however, by all parties, that if the Catholics were really guilty, the duke of York was entirely innocent.

During the king's laſt illneſs, ſeveral clergymen of the church of England attended him; but he payed no regard to their advices and exhortations. Catholic prieſts were privately introduced into his apartment, and he received the ſacrament from them, accompanied with all the rites of the Romiſh church. Two papers were found in his cloſet, written with his own hand, and containing arguments in defence of that communion. The duke, with his uſual prudence, cauſed them to be immediately publiſhed; hoping, by that means, to ſtrengthen the credit of his own religion. But in this, as in moſt of his other expectations, he happened to be diſappointed: the publication of the papers ſerved no other purpoſe, than to juſtify the ſuſpicions which which had always been entertained of his brother's ſincerity, and to convince the world of his own bigotry and ſuperſtition.

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The character of Charles the ſecond has been very elaborately drawn by four cotemporary writers, the duke of Buckingham, the marquis of Halliſax, Biſhop Burnet, and Dr. Welwood; and each of theſe has repreſented him according to their particular principles and prejudices. The prelate, who is rather too ſevere and ſatyrical, ſcruples not to compare him to the Roman emperor Tiberius in cruelty and deceit. The other three are no leſs partial in his favour; they touch upon his vices with a very gentle hand, and paint his good qualities in the moſt lively and agreeable colours.

The love of eaſe and the love of pleaſure ſeem to have been his ruling paſſions; and to theſe may fairly be aſcribed all the actions of his life, and all the meaſures of his government. He was ſometimes unjuſt; but it was only becauſe he could not take the trouble of examining the merits of a cauſe. He was often cruel; but it was merely becauſe he could not reſiſt the importunities of his brother, who was equally ſanguinary and obſtinate in his temper. He was frequently eaſy and compliant; and it was ſimply, becauſe he could not withſtand the oppoſition of a powerful party.

Ambitious of power, but deſtitute of the courage neceſſary to acquire it; he ever remain-

mained a ſlave to his brother: fond of popularity, but unwilling to undergo the fatigues of practiſing the arts requiſite to procure it; he never could engage the affections of his ſubjects: ſufficiently capable of underſtanding the maxims of ſtate and the depths of politics, but averſe to the labour of ſuch a ſevere and irkſome ſtudy; he always acted, in all his public meaſures, from the ſuggeſtions of caprice, the impulſe of neceſſity, or the councils of thoſe who poſſeſſed his confidence, and who, by their ready advice, however imprudeut and impolitic, would eaſe him of the diſagreeable trouble of thinking.

Conſidered, indeed, as a boon companion, he appears in a more favourable and advantageous light. His love of raillery was ſo ſeaſoned with good-breeding, that it never gave offence: his propenſity to ſatire was ſo checked with diſcretion, that his friends never dreaded their feeling its effects: his wit, to uſe the expreſſion of the marquis of Hallifax, could not be ſaid ſo much to be very refined or elevated, qualities apt to beget jealouſy and envy in company, as to be a plain, gaining, well-bred, recommending kind of wit. And though perhaps he talked more than the ſtrict rules of politeneſs might permit,

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men were ſo pleaſed with the eaſy and affable deportment of the monarch, that they always went away contented both with him and with themſelves.

In the duties of private life, his conduct, though not altogether free from faults, was, in the main, commendable. A generous lover, an obliging huſband, a friendly brother, an indulgent father, a good-natured maſter; had he been born in an inferior ſtation, he would probably have paſſed through the world with the affection of ſome, and without incurring the hatred of any: but placed, as he was, in a high ſphere, for which he was altogether unqualified, he drew upon himſelf, by his indolent temper, the contempt, not only of the neighbouring potentates, but even of his own ſubjects. Negligent of the intereſts of the nation, regardleſs of its glory, averſe to its religion, jealous of its liberty, laviſh of its treaſure, ſparing only of its blood, he expoſed it, by his raſh and pernicious meaſures, to the danger of a furious civil war, and even to the diſgrace of a foreign conqueſt.

But what peculiarly diſtinguiſhes the reign of Charles, and muſt for ever, if not render his memory odious, at leaſt, ſilence the tongues of his admirers, is, that, by his in-

indolence at first, by his connivance afterwards, and by his open assistance at last, he contributed to raise the French monarchy to such an immoderate pitch of grandeur, as entirely destroyed the ballance of power in Europe, which it has cost this nation an immense expence of blood and treasure to bring back to its ancient standard.*

JAMES

* Charles had no issue by his queen Donna Catharina, daughter of John the fourth of Portugal: but by his several mistresses he had the following children.

By Mrs. Lucy Walters, daughter of Richard Walters, Esq; James duke of Monmouth, born in 1646; married to Anne Scot, daughter and heiress of Francis earl of Buckleugh in Scotland, in 1665; and executed on Tower-hill in 1685.

By Mrs. Elizabeth Killigrew, viscountess Shannon, daughter of Sir William Killigrew, Charlot-Jemia-Henrietta-Maria-Fitzroy, married first to James Howard, and afterward to the earl of Yarmouth.

By Mrs. Catharine Peg, daughter of Thomas Peg, Esq; Charles Fitz-Charles, earl of Plymouth, commonly called Don Carlos, born in 1658; married to Bridget Osborn, daughter of the duke of Leeds, and killed at Tangiers in 1680.

By Mrs. Barbara Villiers, heiress of William viscount Grandison in Ireland, and wife of Roger earl of Castlemain, created lady Nonsuch, countess of Southampton, and dutchess of Cleveland, three sons and as many daughters, viz. Charles Fitzroy, created duke of Southampton, and after his mother's death duke of Cleveland; Henry Fitzroy, duke of Grafton; and George

George Fitzroy, duke of Northumberland: Anne Fitzroy, married to the earl of Suſſex; Charlotte Fitzroy, matched with the earl of Litchfield; and Barbara, who became a nun at Pontoiſe in France.

By Louiſe de Querouaille, dutcheſs of Portſmouth, Charles Lenox, duke of Richmond. By Mrs. Eleanor Gwin (commonly called Nell Gwin) an actreſs, Charles Beauclerk, duke of St. Albans, and James Beauclerk, who died in his infancy: and by Mrs. Mary Davis, a lady of the ſame profeſſion, Mary Tudor, married to the earl of Derwentwater.

In the firſt year of this reign, a few philoſophers, who had eſtabliſhed conferences for the mutual communication of their diſcoveries in phyſics and geometry, procured a patent, and having enlarged their number, were denominated the *Royal Society*; but this patent was all they obtained from the king. Charles, though a great lover of the ſciences, particularly of chymiſtry and mechanics, encouraged them by his example alone, not by his bounty. His craving courtiers and miſtreſſes, like ſo many harpies, engroſſed his whole expence, and left him neither money nor attention for literary merit. The principal members of this ſociety at its firſt inſtitution were lord Brouncker, Sir Robert Murray, Doctor Wilkins, biſhop of Cheſter, Mr. Robert Boyle, who had made a great progreſs in natural philoſophy, and Doctor Ward, afterwards biſhop of Exeter, a profound mathematician.

This period likewiſe produced the celebrated Newton, whoſe diſcoveries in nature will reflect eternal honour on the nation that gave him birth; Sydenham, the reſtorer of true phyſic; and the witty doggreliſt Butler, who, by his poem of Hudibras, contributed more than any other perſon, to expoſe the fanaticiſm and falſe pretences of the old republicans. The advantage which the royal cauſe received from this work, was pro-

prodigious. The king himself was charmed with its merit, and had even got a great part of it by heart: yet was he either so careless in his temper, or so little endued with the virtue of liberality, or, to speak more properly, of gratitude, that he allowed the author, who was a man of probity and virtue, to live in obscurity and die in want.

Dryden bore away the palm of poetry: but he was vitious and incorrect from the corruption of the public taste, and the hurry in which he was obliged to write for subsistence. A few of his pieces, however, his ode to St. Cicilia, the greatest part of Absalom and Achitophel, and one or two more, are justly ranked among the most excellent productions of the English language. Wycherley's comedies, though rude and licentious, are marked with many excellent strokes of true wit and instructive ridicule. Otway had a genius finely turned to the pathetic: yet was he so little regarded by either the court or the public, that he could not so much as procure bread by his writings; and he had the singular fate of dying literally of hunger.

Even the courtiers of this period were inspired with the love of literary fame: the duke of Buckingham gained some honour by writing the Rehearsal, to ridicule the false taste and absurdities of the dramatic authors. Rochester is remarkable for poignancy of satire, and impurity of style and sentiment. The earls of Mulgrave, Dorset and Roscommon wrote with ease and elegance; but their compositions are either feeble or careless. The marquis of Hallifax possessed a refined genius; and nothing but leisure and an inferior station seem wanting to have raised him to great eminence in literature. Of all the writers of this reign Sir William Temple is by far the most entertaining and instructive.

JAMES II. A. D. 1685.

WHEN we conſider the ſtate of the nation, which was now very different from what it had been a few years before; when we reflect that the Whigs were depreſſed, and the Tories exalted, the former almoſt entirely ruined, and the latter poſſeſſed of the whole civil authority; it will not ſeem ſurprizing, that James ſhould meet with no oppoſition in his acceſſion to he throne. His firſt act was to aſſemble the privy-council; where, after ſome praiſes beſtowed on the memory of his predeceſſor, he declared his reſolution to maintain the eſtabliſhed government both in church and ſtate. Though he had been ſuſpected, he ſaid, to entertain very arbitrary principles, he knew the laws of England were ſufficient to render him as great a monarch as he deſired; and he was firmly reſolved never to infringe them in any particular. And

as he had formerly expoſed his life in ſupporting the independency of the nation, he was ſtill ready to encounter the ſame dangers in preſerving its juſt rights and privileges.

This diſcourſe was received with great applauſe, not only by the council but by all the Tories in the nation. The king, they pretended, had always diſcovered himſelf a man of ſtrict honour and ſincerity; and they therefore preſumed, that his intentions were agreeable to his expreſſions. We have now, ſaid they, the word of a king, and a word never yet broken. Addreſſes poured in from all quarters conceived in the moſt humble and ſubmiſſive terms. Every one was forward to ſhew his loyalty to the new monarch; and James imagining, that the voice of one part of his ſubjects expreſſed the ſentiments of the whole, flattered himſelf with the proſpect of a quiet and peaceable reign.

Whether it was, that the king never meant to perform his promiſes, or that he adhered to the maxim of his religion that no faith ought to be kept with Heritics, he ſoon began to take ſuch ſteps as were utterly inconſiſtent with the declaration he had made. All the cuſtoms and the greater part of the exciſe had been ſettled by parli-

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ament on the late king during his life, and conſequently the grant was now expired; nor had the ſucceſſor any right to collect theſe branches of the revenue without a new grant from parliament. But James publiſhed a proclamation, commanding the cuſtoms and exciſe to be collected as before; and this ſtretch of arbitrary power he would not deign to qualify by the leaſt act or even appearance of condeſcenſion.

It was moved, that, in order to prevent the dangerous conſequences of any intermiſſion in collecting theſe duties, entries ſhould be made, and bonds for the ſums demanded of the merchants: but the payment be delayed, till the parliament ſhould beſtow authority to receive it. This expedient was propoſed, as a mark of reſpect to that aſſembly, or rather to the laws of the land; but for that very reaſon it was rejected by James, who ſeemed determined, by his whole conduct, to pay no regard to theſe conſiderations.

The king likewiſe went openly to maſs; an illegal meeting; and by this imprudence, he diſcovered at once his arbitrary principles, and his bigotted prejudices. He even ſent Caryl, as his agent to Rome, to pay his reſpects to the pope, and to prepare the way for re-admitting England into the boſom

of the Catholic church. The pope, Innocent the eleventh, would have been extremely glad to make ſuch an acquiſition, but he plainly perceived, that the king's meaſures were very unlikely to procure him that advantage. He, therefore, adviſed him not to be too precipitant in his conduct, nor raſhly attempt to effect, by force, what he might know from repeated experience, could never be accompliſhed by means of compulſion.

The Spaniſh ambaſſador Ronqillo, conſidering the tranquillity of England as very neceſſary for the ſupport of Spain, took the liberty to remonſtrate on the ſame ſubject. He remarked what a number of prieſts appeared at court, and adviſed the king not to follow, with too great facility, their dangerous and pernicious councils. "What!" ſaid James, "is not the king of Spain wont "to conſult with his confeſſor?" "Yes," replied the ambaſſador, "and that is the "very reaſon why our affairs ſucceed ſo "ill."

It ſoon appeared, that the king regarded one part of his ſubjects as open and avowed enemies. When the principal excluſioniſts came to pay their reſpects to him, they were either not admitted, or met with a very ungracious reception. This conduct might be agree-

agreeable to the character, which the king affected, of plainneſs and ſincerity: but by ſhowing that a king of England could reſent the injuries done to a duke of York, he gave his people no very high idea either of his lenity or greatneſs of mind.

James's power, during the latter years of his brother's reign, had been ſo great, that all the chief offices of the crown were filled principally by his influence, and he therefore found it needleſs to make any conſiderable alterations in that article. Rocheſter, was lord high treaſurer; his brother Clarendon, lord chamberlain; Godolphin, chamberlain to the queen; Sunderland, ſecretary of ſtate; Hallifax, preſident of the council. To theſe, and to all his other miniſters, the king frankly declared, that they muſt now expect a more vigilant government than they formerly experienced, and that he would employ no ſervants, who did not obey him with an unlimited ſubmiſſion.

We are not, indeed, to ſearch for the ſprings of his adminiſtration ſo much in his council and great officers of ſtate, as in the violence and bigotry of his own temper, and in the prejudices of thoſe perſons, who poſſeſſed the chief ſhare of his confidence. He was greatly influenced in every part of

his conduct by the advice of his queen; a woman of spirit, and whose conduct had been extremely popular, till she was raised to that high dignity. She herself was intirely directed by the priests, especially the jesuits; and as these were likewise the king's favourites, all public measures were originally projected by their suggestions, and were stamped with the most evident marks of their ignorance in government, and of the violence of their religious zeal.

Whatever aversion the king, as well as his queen and priests, might have to an English parliament, it was absolutely necessary, at the commencement of a reign, to convoke that assembly. The courtiers exerted themselves with great activity in influencing the elections; and their endeavours were crowned with unusual success. The new house of commons consisted almost entirely of Tories, who were readily disposed to concur with all the measures of the court.

The speech, which the king made to the parliament, was more fitted to work on their fears than their affections. He renewed, indeed, in the most solemn manner, the promise, which he had made before the privy-council, of regulating his conduct by the laws of the land, and maintaining the established religion: but at the same time he

he gave them to understand, that he positively expected they would settle his revenue, and during life too, as in the time of his brother.

"I might use many arguments," said he, "to enforce this demand; the benefit "of trade, the support of the navy, the "necessity of the crown, and the well-be-"ing of the government itself, which I "must not suffer to be precarious: but I "am confident, that your own consideration of what is just and reasonable will "suggest to you whatever on this occasion "might be enlarged upon. There is, in-"deed, one popular argument," added he, "which may be urged against compliance "with my demand: men may imagine, "that, by feeding me from time to time "with such supplies as they deem sufficient, "they will better secure frequent meetings "of parliament: but as this is the first time "I speak to you from the throne, I must "plainly tell you, that such a method "would be very improper to employ with "me, and that the best way to engage me "to meet you often is always to use me well."

It was easy to comprehend the king's meaning in this speech. He plainly intimated, that he had resources in his prerogative for supplying his necessities, independent of

of their grants; and that ſo long as they complied with his demands, he would willingly apply to them; but that any ill treatment on their part would abſolve him from thoſe obligations which he had incurred, and entitle him to govern by his ſole authority. It muſt be owned, that no Engliſh parliament was ever placed in a more delicate ſituation, nor where it was more difficult to embrace a choice, that might not be attended with the moſt dangerous conſequences.

The queſtion was, whether it was more prudent, by ſettling the king's revenue for life, to render him independent of his parliaments, and to engage him to his duty from a ſenſe of gratitude; but, at the ſame time, to truſt entirely to his will and pleaſure for the preſervation of their laws, their liberty and religion: or, by leaving it precarious, to retain him in ſubjection to parliament, and to keep in their own hands a ſufficient power for the ſecurity of theſe ineſtimable privileges; even at the hazard of incurring his majeſty's diſpleaſure, and of provoking him to employ thoſe extraordinary reſources which he pretended to have in his own prorogative.

However loyal the parliament, and however inclinable to ſupport the dignity of the crown, many were of opinion, that the laſt

laſt alternative ought to be embraced. The debate was maintained for ſome time with great eagerneſs, and many learned arguments were advanced on both ſides of the queſtion. At laſt, however, the court party prevailed; and the commons, beſides thanking the king for his ſpeech, unanimouſly voted, that they would beſtow upon the preſent king during his life all the revenue poſſeſſed by the late king at the time of his deceaſe.

That they might not leſſen the merit of this generous grant by any ſymptoms of diſtruſt, they alſo voted unanimouſly, that the houſe, entirely confided in his majeſty's royal and repeated declarations to maintain the eſtabliſhed religion: but they added, that that religion was dearer to them than their lives. The ſpeaker, in preſenting the revenue-bill, took care to acquaint the king with this laſt vote of the commons; but could not, by ſo ſignal a mark of confidence, draw from him one word in favour of that religion, for which he told his majeſty, they entertained ſo high a regard.

Notwithſtanding the ſuſpicions occaſioned by this ſilence, the houſe continued in the ſame liberal diſpoſition. The king having aſked a further ſupply for repairing the navy, diſcharging his brother's debts, and

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ſome other purpoſes, they revived thoſe duties on wine and vinegar, which had once been poſſeſſed by the late king; and they added ſome new impoſitions on ſugar and tobacco. The king's fixed revenue, by the beſt calculation, is ſuppoſed to have amounted to about two millions; and this laſt grant fell not much ſhort of ſix hundred thouſand pounds.

The peers were in a humour no leſs compliant. They even took ſome ſteps towards diſcrediting the Popiſh plot, in order the more effectually to gratify his majeſty.

A little before the meeting of the parliament, Oates had been tried for perjury on two indictments: one for ſwearing that he had been preſent at a conſult of the jeſuits in London, the twenty-fourth of April, 1678: another for ſwearing, that father Ireland was in London the eighth and twelth of Auguſt and in the beginning of September in the ſame year. Immediately after reading the firſt indictment, and before a ſingle witneſs was examined, Sir Robert Sayer, attorney-general, made a ſpeech, declaring, "that Oates was one of "the greateſt impoſtors that ever appeared, "either in this or any other nation." It muſt be obſerved, that Sayer had been one of the king's council at the trial of the jeſuits,

ſuits, and had employed all his learning and eloquence, to ſupport and confirm the evidence of Oates.

It was proved by the oaths of twenty witneſſes from St. Omers, that Oates was at that place, at the very time when he pretended to have been at the grand conſult. Theſe very witneſſes had made the ſame depoſition at the trial of the jeſuits, and no regard was payed to their evidence. The humour of the nation ran now as ſtrongly in favour of the court, as it had then run in favour of the country-party.

Oates objected, that the king's council, particularly the attorney and ſolicitor-general, who now appeared againſt him, had ſpoke in his favour at the trial of the jeſuits: that the lord chief juſtice Jefferies, before whom he was now arraigned, was then one of the king's council, and had expreſsly declared, that the verdict given againſt the jeſuits was juſt and equitable in every reſpect: that in a caſe of Religion a Papiſt could not be believed; and for this aſſertion he cited lord Cake's practice, who would not admit of the evidence of a Popiſh recuſant, even in a caſe of a civil nature: that the witneſſes againſt him were educated in an illegal ſeminary: and that when lord Shaftſbury, at his trial, deſired liberty to bring

bring an indictment of perjury againſt the witneſſes who accuſed him, the court overruled the motion, and would not ſuffer the king's evidence to be indicted for perjury, nor the Popiſh plot be called in queſtion.

Jefferies replied, that theſe objections were nothing to the purpoſe: that the ſentence pronounced againſt the jeſuits had undergone ſeveral revolutions, being ſometimes conſidered as juſt, ſometimes as unjuſt: that the practice of Coke was contrary to law, and could not be admitted as a precedent: that if the ſeminaries of the Papiſts were illegal, ſo likewiſe were thoſe of the diſſenters: that no inference could be drawn from Shaftſbury's trial in favour of the preſent caſe: and to cut ſhort the matter, he concluded with theſe words; "There does "not remain the leaſt doubt, but that Oates "is the blackeſt and moſt perjured villain, "that ever appeared on the face of the "earth."

After ſuch a declaration, made by the chief-juſtice, we need not be ſurprized, that a jury, which, of itſelf, was ſufficiently attached to the court, ſhould return a verdict againſt the priſoner. Next day he was tried for perjury in the caſe of father Ireland, and was likewiſe found guilty of that charge. Some pretend, that there was not the leaſt ap-

appearance of prejudice or partiality in the verdict againſt Oates; but on the contrary, a great deal of both in that againſt the jeſuits. The candid reader may compare the two caſes, and judge for himſelf.

Oates's ſentence was, that he ſhould be fined a thouſand marks on each indictment; that on the Wedneſday ſucceeding his trial, he ſhould be wipped from Aldgate to Newgate, and on the Friday following, from Newgate to Tyburn; that he ſhould be impriſoned during life, and be pilloried five times every year. What appeared the moſt cruel part of the ſentence, was that he ſhould be whipped twice in the ſpace of three days. This ſeverity, however, was far leſs than the court would willingly have inflicted, had it been in their power; for Jefferies, with his uſual violence, declared, that had the law permitted him, he would have ſent the priſoner to the gallows.

But what the court could not effect in a legal manner, they were determined to accompliſh by means altogether unjuſtifiable. They ordered the hangman to ply the whip with ſuch vigour, that the priſoner might expire under the puniſhment. And, indeed, the executioner was very willing to gratify his maſters; for Oates ſwooned away ſeveral times during the firſt whipping: from

whence we may eaſily gueſs what he muſt have ſuffered during the ſecond chaſtiſement. By the care of his friends, however, he was enabled to recover; and he lived till the reign of king William; when he was indulged with a penſion of four hundred pounds a year. The peers reſolved to avail themſelves of Oates's conviction. Beſides freeing the Popiſh lords Powis, Arundel, Bellaſis, and Tyrone, together with Danby, from the impeachment preferred againſt them by the commons, they went ſo far as to vote a reverſal of Stafford's attainder; though in Oates's trial there was not a word of his teſtimony againſt that nobleman. This bill, however, met with a ſtrong oppoſition even among the lords themſelves, many of whom entered their proteſt againſt it; and after the firſt reading, it was entirely dropped by the commons. They probably thought, that as there was ſome prejudice in the verdicts, which had been given againſt the Catholics; there was much more partiality in the meaſures, which were now adopted in their favour.

Meanwhile intelligence arrived, that Monmouth was landed on the Weſtern coaſt, with three ſhips from Holland. The parliament were no ſooner informer of this event, than they voted, that they would aſ-

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ſiſt his majeſty with their lives and fortunes. They paſſed a bill of attainder againſt Monmouth; they granted the ſum of four hundred thouſand pounds for extinguiſhing the rebellion; and having thus ſtrengthened the hands of the king, they adjourned themſelves for ſome time.

Monmouth, when ordered to quit the kingdom, during the late reign, had withdrawn into Holland; and as it was well known, that he ſtill poſſeſſed the affection of his father, he was kindly received by the prince of Orange. After the acceſſion of James, the prince thought proper to diſmiſs Monmouth with all his followers; and that illuſtrious fugitive took up his reſidence at Bruſſels. Finding himſelf ſtill purſued by the king's ſeverity, he was forced, contrary to his judgment as well as inclination, to make a raſh and imprudent attempt upon England. He knew, that the king had lately aſcended the throne, not only without oppoſition, but ſeemingly with the good will of a great part of his ſubjects. A parliament was aſſembled, which diſcovered the ſtrongeſt attachment to the court, and whoſe adherence to the king would contribute much to ſtrengthen his authority. The grievances of this reign were hitherto inconſiderable; nor was the

jealouſy of the people, as yet awakened by any flagrant invaſion of their rights and privileges.

Monmouth, influenced by theſe conſiderations, repreſented the folly of an immediate attempt; but ſuch was the impatience of his followers, and ſuch the ardour of the earl of Argyle, who ſet out for Scotland a few days before him, that all his objections were over-ruled; and this unhappy man was puſhed upon his ruin.

The enterprize, however, ſeemed, at firſt, to aſſume a more promiſing appearance, than he had any reaſon to expect. Though on his landing at Lyme in Dorſetſhire, he was not attended by above a hundred followers, ſo much was he beloved by the people, that in four days no leſs than two thouſand horſe and foot had repaired to his ſtandard. Encouraged by this appearance in his favour, he ventured to publiſh a manifeſto, conceived in the moſt ſevere and virulent terms. He reproached his majeſty as the author of the fire of London, the French alliance, the two Dutch wars, the Popiſh conſpiracy, the murder of Godfrey, the aſſaſſination of Eſſex, the Proteſtant-plot, the diſſolution of parliaments, the ſubornation of juries; in a word, of all the acts of tyranny and oppreſſion, which had taken place during

during the late reign. He charged him with having poiſoned his brother; declared, that he himſelf was come to redreſs the grievances of the nation; and invited all good people to join in ſo laudable an undertaking.

The duke of Albemarle, ſon of him who had reſtored the royal family, aſſembled together the militia of Devonſhire to the number of four thouſand men, and poſted himſelf at Axminſter, in order to check the progreſs of the rebels; but finding that his troops were very unwilling to fight againſt Monmouth, he thought proper to retire. Monmouth, though perſonally brave, was not poſſeſſed of ſufficient reſolution for conducting an enterprize of this nature. Had he attacked Albemarle, he might both have acquired honour, and furniſhed himſelf with arms; but this opportunity, from an ill-grounded diffidence of his men, he was tempted to neglect. Lord Grey, who commanded his horſe, appeared to be a notorious coward; yet ſuch was the gentleneſs of Monmouth's temper, that Grey was ſtill ſuffered to enjoy his command.

Fletcher of Salton, a Scotchman, a perſon of great probity and merit, had been engaged, by his republican principles, to embark in this enterprize, and together with

Grey commanded the cavalry: but being inſulted by one, who had lately come to the camp, and whoſe horſe he had mounted in a hurry, he was prompted by paſſion, to which he was much ſubject, to fire a piſtol at the man; and he killed him on the ſpot. This incident obliged him to quit the army; and the loſs of ſo brave an officer was a great diſſervice to Monmouth's enterprize.

Soon after the rebels advanced to Taunton, a very diſaffected town, which received them with great alacrity, and reinforced them with conſiderable numbers. Twenty young maids of ſome rank preſented Monmouth with a pair of colours of their own making, together with a copy of the bible. Monmouth here ventured to aſſume the title of king, and to aſſert the legitimacy of his birth; a claim, which he had advanced in his firſt declaration, but the diſcuſſion of which, he then ſaid, he was reſolved for ſome time to poſtpone.

His army was now increaſed to ſix thouſand men; and he was obliged every day, for want of arms, to diſmiſs a great many, who offered him their ſervice. He took poſſeſſion of Bridgewater, Wells, Frome; and was proclaimed in all theſe places: but forgetting that ſuch deſperate enterprizes can only be rendered ſucceſsful by the moſt dar-

daring courage, he ſuffered the expectations of the people to languiſh, without performing any action of importance.

Meanwhile the king exerted his utmoſt efforts in order to oppoſe the progreſs of the rebels. Six regiments of Britiſh troops were recalled from Holland: freſh levies were made in ſeveral parts of the kingdom: and regular forces, to the number of three thouſand men, were diſpatched under the command of Feverſham and Churchill, to give battle to the enemy.

Monmouth, perceiving that no perſon of any rank joined him, hearing that an inſurrection, which was projected in the city, had not taken place, and being informed, that Argyle, his confederate, was already defeated and taken; was, by all theſe circumſtances, overwhelmned with ſuch deſpair, that he had determined to retire ſecretly, and abandon his followers to the mercy of the government. His followers diſcovered more ſpirit than their leader, and profeſſed their reſolution ſtill to adhere to him in every change of fortune.

The careleſs diſpoſition made by Feverſham, encouraged Monmouth to attack the king's army at Sedgemoor, near Bridgewater; and his men in this action proved what a native courage and a principle of duty,

ty, even without the advantage of diſcipline, is capable of performing. They made deep impreſſions on the veteran troops; obliged them to retreat to a conſiderable diſtance; maintained the fight till their ammunition was exhauſted; and would at laſt have gained a complete victory, had not the miſconduct of Monmouth and the cowardice of Grey prevented it. After a conteſt of three hours, the rebels fled; and were followed with great ſlaughter. About fifteen hundred fell in the action and in the purſuit. And thus was concluded in five weeks an enterprize, which had been ill concerted and worſe executed.

Monmouth retired from the field of battle with about fifty horſe; but theſe being ſoon diſperſed, he rode towards Dorſetſhire, until his horſe could carry him no farther. He then alighted, and exchanging dreſs with a ſhepherd, fled on foot, attended by a German count, who had accompanied him from Holland. Being quite ſpent with hunger and fatigue, they lay down in a ditch, and covered themſelves with fern. The ſhepherd being found in his cloaths, was brought to lord Lumley, who, from his information and the ſagacity of ſome hounds, diſcovered the duke in this forlorn condition, with raw peas in his pockets,

which

which he had gathered in the fields to ſuſtain life, and which had been his only food for two days.

Human nature is unequal to ſuch calamitous ſituations; much more the temper of a man, ſoftened by early proſperity, and accuſtomed to all the eaſe and luxury of a court. He burſt into tears, when ſeized by his enemies; and he ſtill ſeemed to indulge the fond hope and deſire of life. Though he might have known, from the nature of his own crime, and the ſeverity of James's temper, that no hopes of mercy were left; he wrote him the moſt humble and ſubmiſſive letters, and conjured him to ſpare the life of a nephew, who, notwithſtanding his former errors, would endeavour, by his future conduct, to render himſelf worthy of ſo great a favour. James, obſerving ſuch ſymptoms of ſorrow and repentance in the unhappy priſoner, admitted him to his preſence, in hopes of drawing from him a diſcovery of his confederates; but Monmouth, however deſirous of life, would not condeſcend to purchaſe it by an action attended with ſo much infamy.

Finding all his entreaties vain, he aſſumed courage from deſpair, and prepared for death with a ſpirit, which better became his rank and character. This favourite of the people

was

was conducted to the ſcaffold amidſt the tears and lamentations of the ſpectators. He warned the executioner not to be guilty of the ſame error, which he had committed in beheading lord Ruſſel, where it had been neceſſary to repeat the blow. This precaution ſerved only to diſmay the executioner, who ſeemed to be ſeized with an univerſal trepedation. He ſtruck a feeble blow on Monmouth, who raiſed his head from the block, and looked him in the face, as if upbraiding him with his faulty performance. He gently laid down his head a ſecond time, and the executioner ſtruck him again and again to no purpoſe. He at laſt threw aſide the ax, and declared he was unable to finiſh the bloody office. The ſheriff compelled him to reſume the work; and at three ſtrokes more the head was ſevered from the body.

Such was the unhappy fate of James duke of Monmouth, a young man of the moſt amiable character. He was brave, gentle, generous, ſincere, and good-natured, open to flattery, and addicted to pleaſure. The favour of his prince, the love of popularity, and the allurements of ambition, engaged him in enterprizes, for which he was altogether unqualified. The good will of the people ſtill attended him in every fortune. Even after his execution, they entertain-

tained the fond, but abſurd hopes, of ſeeing him once more at their head. They fancied, that the perſon executed was not Monmouth, but one who happening to reſemble him in ſhape and appearance, was willing, by his own death, to ſave the life of a man, who was ſo much beloved by the nation.

It was natural to think, that this victory, which the king had gained in the beginning of his reign, would have tended to ſtrengthen his power and authority. But by reaſon of the cruelty, with which it was proſecuted, and of the temerity, which it afterwards occaſioned, it was one of the principal cauſes of his ruin. Such were the arbitrary and deſpotic principles by which the ſervants of the crown were actuated, that Feverſham, immediately after the action, hanged up above twenty priſoners; and was proceeding in the barbarous work, when the biſhop of Bath and Wells informed him, that theſe men were now entitled to a trial, and that their execution would be conſidered as a real murder.

This remonſtrance, however, did not check the ſavage nature of colonel Kirke, a ſoldier of fortune, who had long ſerved at Tangiers, and, from his intercourſe with the Moors, had contracted an inhumanity totally unknown in European countries. At his firſt en-

entry into Bridgewater, he cauſed nineteen to be executed, without trial or examination. As if he made ſport with death, he ordered a certain number to be hanged, while he and his company ſhould drink to the health of the king, or the queen, or of judge Jefferies. Obſerving their feet to quiver in the agonies of death, he ſaid, that he would give them muſic to their dancing; and he immediately commanded the drums to beat and the trumpets to ſound. By way of experiment he cauſed one man to be tucked up three times, aſking him at each interval, whether he was ſorry for his crime; but the man boldly declaring, that, notwithſtanding what was paſt, he would ſtill willingly embark in the ſame cauſe, Kirke ordered him to be hung in chains.

One execution was attended with ſuch circumſtances of treachery, as well as barbarity, as to merit a more particular relating. A young maid implored the pardon of her father, and threw herſelf at Kirke's feet, armed with all the charms which beauty and innocence, bathed in tears, could poſſibly beſtow. The tyrant was fired with luſt, not ſoftened into love or clemency. He agreed to grant her requeſt, provided that ſhe on her part, would condeſcend to gratify him.

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KIRK'S Cruelty to a Young Woman who beggid her Brothers Life.

Engraved for Riders History of England.

The ſtruggle was hard and ſevere, to loſe her father, or to part with her honour. At laſt the force of filial affection overcome all ſelfiſh regards. The maid ſubmitted to the conditions: but after ſhe had paſſed the night with him, the inhuman ruffian, next morning, ſhewed her from the window her father, the darling object for whom ſhe had ſacrificed her virtue, hanging on a gibbet, which he privately cauſed to be there erected for his execution. This ſhocking and unexpected ſight ſtruck her with ſuch a ſudden ſurprize, that ſhe was inſtantly ſeized with a phrenzy, and never after recovered her ſenſes.

The infernal monſter triumphed in his barbarous ingenuity, and proceeded to extend his ravages over the whole country. He allowed the ſoldiers to live on free quarters; and his own regiment, taught by his example, and encouraged by his exhortations, diſtinguiſhed themſelves in a more particular manner by their outrages. By way of pleaſantry he was wont to call them *his lambs*: an appellation which the people in the Weſtern countries long remembered with horror.

The barbarity of this ruffian was properly ſeconded by the inhuman Jefferies, who, after ſome interval, was ſent on the Weſtern

circuit, as another minister of the king's vengeance. This man, who wantoned in cruelty, had already discovered his brutal nature in many trials where he had presided; and he now set out with a savage joy as to a full harvest of death and destruction.

His first stage was at Dorchester; and thirty rebels being brought to the bar, he advised them, but in vain, to save him, by their free confession, the trouble of trying them: and when twenty-nine were found guilty, he commanded them, as an additional punishment for their obstinacy, to be hurried away to immediate execution. Most of the other prisoners, terrified by their example, and tempted by the fond hopes of life, were engaged to plead guilty; and no less than two hundred and ninety-two received sentence of death at Dorchester. Of these seventy were executed.

He next proceeded to Exeter, where two hundred and forty-three were tried, of whom a great number were condemned and executed. He then advanced to Taunton and Wells; and every where carried terror and astonishment along with him. The juries were so overawed with his menaces, that they gave their verdict with the utmost precipitation; and many innocent persons were condemned with the guilty. And, on the whole,

whole, beſides thoſe butchered by the military commanders, two hundred and fifty, by the loweſt computation, and acccording to ſome hiſtorians, no leſs than ſix hundred are ſaid to have fallen by the hands of juſtice. Jefferies himſelf ſeemed to glory in his cruelty, and boaſted, that he had hanged more men than all the judges of England ſince the time of William the conqueror.

Of all the executions during this bloody period, the moſt remarkable were thoſe of Mrs. Gaunt and lady Liſle, who had been charged with harbouring traitors. Mrs. Gaunt was an anabaptiſt, whoſe life was one continued exerciſe of benificence. One of the rebels, knowing her humane character, fled to her houſe, where he was concealed and maintained for ſome time. Hearing of the proclamation, which promiſed an indemnity and reward to thoſe, who diſcovered criminals, he betrayed his benefactreſs; and ſuch was the ſpirit of juſtice and equity which prevailed among the miniſters, that he was pardoned and recompenſed for his treachery; ſhe was burned alive for her charity.

Lady Liſle was widow of one of the regicides, who had poſſeſſed great influence and authority under Cromwell, and who having eſcaped, after the Reſtoration, to Lau-

zunne in Switzerland, was there murdered by three Iriſh ruffians, who, by this infamous piece of ſervice, hoped to pay their court to the Engliſh monarch. This lady was now proſecuted for harbouring two rebels the day after the battle of Sedgemoor; and Jefferies, with his uſual barbarity, puſhed on the trial againſt her.

In vain did the venerable matron alledge, that the criminals had been diſtinguiſhed by no proclamation, had been condemned by no verdict; nor could any man be conſidered as a traitor till the ſentence of ſome legal court was pronounced againſt him: that it could not be proved by any evidence that ſhe was ſo much as acquainted with the guilt of the perſons, or had heard of their having been engaged in Monmouth's rebellion: that whatever might be the demerits of her family, it was well known that her own heart had ever been loyal, nor had any perſon in England been more deeply affected with that fatal event, in which her huſband had unhappily borne too great a ſhare: and that the ſame principles, which ſhe herſelf had ever cheriſhed, ſhe had carefully inſtilled into the mind of her ſon, and had, at that very time, ſent him to fight in defence of that royal perſonage, whoſe enemies ſhe was now accuſed of harbouring.

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These arguments, though they had no influence on the brutal Jefferies, made some impression on the jury. Twice they declared the prisoner innocent: they were as often sent back with threats and reproaches; and were at last compelled to give a verdict against her. Notwithstanding all applications for mercy, the barbarous sentence was carried into execution. The king said, that he had given Jefferies a promise not to pardon her: in other words, he had employed him as the instrument of his own cruel and unrelenting vengeance.

It was natural to think, that, by all these bloody executions, a rebellion, so rashly undertaken, so ill conducted, and productive of so little mischief, would have been sufficiently expiated: but nothing could satiate the spirit of revenge by which the king and his ministers were actuated. Even those, who escaped with their lives, were obliged to pay exorbitant fines, which reduced them to such a state of beggary, as rendered the favour rather a curse than a blessing: and when their former poverty made them incapable of payment, they were condemned to cruel whippings or severe imprisonments.

Nor could the innocent be secure from the hands of the chief justice, alike cruel and rapacious in his temper. Prideaux, a gen-

tleman of Devonshire, being committed to prison, was so terrified by the arbitrary spirit which then prevailed, that he was glad to purchase his liberty at the price of fifteen thousand pounds; though he could never so much as learn the crime, of which he was accused.

Goodenough, under-sheriff of London, who had been suspected of being concerned in the Rye-house conspiracy, was taken prisoner after the battle of Sedgemoor, and was determined to save his own life by an impeachment of Cornish the sheriff, whom he knew to be extremely odious to the court. Colonel Rumsey appeared as another evidence; and the prosecution was hurried on with such precipitation, that the prisoner was tried, condemned, and executed, in the space of a week.

The perjury of the witnesses was discovered a few days after; and the king seemed to be sorry for the death of Cornish. He restored his estate to his family, and condemned the witnesses to perpetual imprisonment. Can any factious republican pretend, that this signal favour, coming from so gracious and merciful a sovereign, was not a sufficient attonement for the paltry offence of depriving Cornish of his life! The court-sycophants were at great pains to insinuate, that

that all these barbarous proceedings were entirely owing to the judges, and were neither known or approved by his majesty. But James, whose folly was equal to his cruelty, had not the prudence to favour the deceit. He soon took care to give the lye to his friends; and to convince his enemies that their suspicions were well founded. Jefferies had no sooner returned from his circuit, which the king, with equal humanity and humour, was wont to term his campaign, than he was immediately created a peer, and in a short time advanced to the dignity of chancellor. That a prince, who had been guilty of such acts of barbarity and injustice, should be soon after deprived of his throne, is not surely surprizing: the wonder is, that he was allowed to enjoy it one moment longer.

We must now take a view of the state of affairs in Scotland; where the fate of Argyle had been determined before that of Monmouth. The spirit of the Scots was so entirely extinguished by the arbitrary goverment which had long prevailed in that kingdom, that it was in vain for the earl to invite them to a recovery of their ancient liberties. The greater part of those, who joined him, were his own vassals; men, who, if possible, were still more sunk in slavery than the rest of the nation. After a quick and safe voyage,

voyage, he landed in Argyleſhire, accompanied by ſome fugitives from Holland; and among the reſt, by Sir Patric Hume, a man of humane principles, who had been puſhed to this extremity, by a continued train of oppreſſion.

The privy-council, having received intelligence of Argyle's intentions, had taken the neceſſary ſteps for rendering them ineffectual. The whole militia of the kingdom, amounting to twenty-two thouſand men, were already collected; and a third part of them, with all the regular forces, were ſent to oppoſe him. All the conſiderable gentry of his clan were impriſoned: and two ſhips of war were on the coaſt in order to watch his motions,

Notwithſtanding theſe diſadvantages, he was yet enabled, partly from fear, partly from affection, to aſſemble and arm a body of about two thouſand five hundred men; but ſoon found himſelf involved in inextricable difficulties. His arms and ammunition were ſeized in his caſtle of Dunſtaffnage: his proviſions and convoys intercepted: the marquis of Athole preſſed him on one ſide; lord Charles Murray on another: the duke of Gordon hung upon his rear; the earl of Dunbarton oppoſed him in front.

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His men daily deſerted him; but Argyle, determined to conquer or periſh, broke at laſt with the poor remains of his army into the diſaffected part of the Low-Countries, which he attempted to engage in his cauſe by declarations for the covenant. His endeavours, however, proved ineffectual: no perſon had either courage or inclination to join him; and his ſmall and ſtill decreaſing army, after wandering about for a few days, was at laſt diſperſed and defeated without an enemy. Argyle himſelf was ſeized and conducted to Edinburgh; where, after undergoing many indignities with a gallant ſpirit, he was publicly executed. He ſuffered upon the former ſentence of attainder, which had been paſſed againſt him; and as that was univerſally allowed to be unjuſt, his death was conſidered as a real murder.

Two Engliſhmen, who were taken with him, Rumbold, owner of the Rye-houſe, and Ayloffe, a relation of the old earl of Clarendon, were brought to trial in London, and condemned. Rumbold denied, that the perſons in the Rye-houſe plot, had ever formed any reſolution to kill the king. He laughed at the notion of divine, hereditary, and indefeaſible right; and affirmed that allegiance and protection were reciprocal. He ſaid, that, for his own part, he prefer-

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red kingly government; but he could not believe, that God had made the greater part of mankind with ſaddles on their backs and bridles in their mouths, and a few with boots and ſpurs to ride them at pleaſure.

Ayloffe was examined by the king in perſon, who exhorted him to diſcover their confederates in England. The priſoner refuſing to comply with his requeſt: "Mr. Ayloffe," ſaid the king, "you know it is "in my power to grant you a pardon: let "me adviſe you to do ſomething that may "merit the favour." "I know," replied Ayloffe, "that it is in your power, but I "am fully convinced it is not in your na"ture." And indeed it appeared that he judged rightly; for both he and Rumbold were immediately executed. The king was ſo intoxicated with this run of proſperity, that he began to diſcover his arbitrary principles in a more open manner; and from his ſpeech to the parliament, which he had aſſembled on the ninth of November, he ſeemed to think himſelf exempted from all rules of prudence or diſſimulation. He plainly told them, that the militia, which had formerly been been ſo much extolled, was now found, by their behaviour during the laſt rebellion, to be altogether uſeleſs; and he demanded

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a new ſupply, in order to ſupport thoſe regular forces, which he had raiſed.

He likewiſe informed them, that he had admitted into the army a great many Catholic officers, and that he had, in their favour, diſpenſed with the law, commanding the teſt to be taken by every one who enjoyed any public office. And in order to cut the matter ſhort, and prevent all oppoſition, he declared, that having received ſo much benefit from their ſervice during the late commotion, he was reſolved, neither to expoſe them afterwards to diſgrace, nor himſelf to the want of their aſſiſtance, in caſe of another rebellion.

Such zealous advocates were the members of this parliament for the doctrine of paſſive-obedience and non-reſiſtance; ſo much were they afraid of coming to any rupture with the king, or incurring his diſpleaſure; that it is probable, had he been contented to exerciſe his diſpenſing power without declaring it, no exception would have been taken againſt it, and the liberties of the nation might have been gradually and inſenſibly deſtroyed.

But to overturn at once their conſtitution, to endanger their religion, to eſtabliſh a ſtanding army, and even deſire them, by their concurrence, to contribute to their own

own ruin, exceeded the bounds of their patience, and they began for the firſt time to diſcover ſome ſmall remains of Engliſh ſpirit and reſolution. When the king's ſpeech came to be examined by the commons, many ſevere reflections were made on the conduct of the preſent miniſters; and the houſe was with much difficulty perſuaded to promiſe in a general vote, that they would furniſh ſome ſupply.

But that they might ſhow their regard for the liberty of the ſubject, while they expreſſed their loyalty to their ſovereign, they proceeded to inquire into the diſpenſing power; and they voted an addreſs againſt it. Before this addreſs was preſented, they reſumed the conſideration of the ſupply; and after ſome debate on the ſubject, they voted the ſum of ſeven hundred thouſand pounds. The addreſs againſt the diſpenſing power was conceived in the moſt modeſt and ſubmiſſive terms; yet was it ſo ill received by the king, that he gave them a flat and peremptory denial. The commons were intimidated by this reply, and for ſome time obſerved a profound ſilence: and when Coke, member for Derby, roſe up and ſaid "I hope we are all true Engliſh-"men, and not to be frighted with a few "hard words;" ſo little ſpirit appeared in that

that assembly, often so bold and independent, that they sent him to the Tower for bluntly expressing a generous sentiment.

They then adjourned, without appointing a day for the examination of his majesty's answer; and at their next meeting they very quietly proceeded to the consideration of the supply, and even went so far as to vote, that three hundred thousand pounds of the sum mentioned should be annually levied for nine years and a half following. Happily this vote was not passed into a law, otherwise the constitution had been exposed to the most imminent danger; as James would then have been enabled to carry his designs into execution without demanding any further supplies from his parliament.

The next opposition came from the peers, who are seldom inclined to differ with the court, and even from the bishops, from whom the sovereign usually expects the most implicit and unreserved submission. The upper house had been engaged, during the first days of the session, to return general thanks for his majesty's speech; by which compliment, according to the custom of the time, they were supposed to have approved of it in every particular: yet notwithstanding that step, Compton, bishop of London, in his own name and that of his

brethren, moved, that a day ſhould be fixed for examining the ſpeech; and the motion was ſeconded by Hallifax, Nottingham, and Mordaunt.

Jefferies, the chancellor, oppoſed it; and ſeemed inclined to diſplay in that houſe the ſame brutal arrogance, which he had ſo long been accuſtomed to exerciſe upon the bench: but he was ſoon taught to know his place; and he ſhowed, by his behaviour, that inſolence when checked naturally ſinks into meanneſs and puſillanimity. The biſhop of London's motion was approved.

The king might naturally have expected, that even if the peers ſhould have courage to preſent an addreſs againſt his diſpenſing power, the ſame imperious anſwer, which he had given to the commons, would fill them with the like fear and apprehenſion; and he might by that means have procured a very conſiderable ſupply, without making any conceſſions in return. But ſo haughty was his temper, ſo high the idea which he had formed of his own prerogative, ſo arbitrary the principles, by which he was actuated; that he could not bear the leaſt ſhadow of oppoſition; and he therefore prorogued the parliament. He continued it during a year and a half by four more prorogations; but having in vain attempted

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to engage the leading members in his intereſt, he at laſt diſſolved that aſſemble. And as it was impoſſible for him to find among his Proteſtant ſubjects a ſet of men more attached to royal authority, it was univerſally believed, that he intended, for the future, to ſummon no more parliaments.

So great was the aſcendant which the Tories had lately gained in the kingdom, that had James been content to deſtroy the liberties of the nation, without invading their religion, he might probably have ſucceeded in his purpoſe: but openly to attack whatever was held moſt ſacred and venerable, to diſpenſe with the teſt, the great barrier againſt Popery, filled the people with an univerſal terror and conſternation; offended the church, which had hitherto been the chief ſupport of monarchy; and even diſguſted the army, by whoſe means alone he could now hope to govern.

The former hatred againſt Popery was revived by polemical books and ſermons; and every diſpute ſeemed to terminate in favour of the Proteſtant divines, who, as their arguments were more ſolid and ſatisfactory, were likewiſe heard with more favourable ears. Another incident too happened at this time, which contributed greatly to in-

flame the animosity of the nation against the Catholic religion.

Henry the fourth of France had, about a century before, granted an edict, commonly called the Edict of Nantz; securing the Protestants in the free exercise of their religion. This edict, which had often been declared irrevocable, and which, during the experience of so long a period, had been productive of no bad consequences, was now revoked by Lewis the fourteenth, who persecuted these unhappy religionists with such rigour and severity, that above half a million of the most useful and industrious subjects deserted France; and carried with them, besides an immense sum of money, those arts and manufactures, which had chiefly tended hitherto to enrich that kingdom.

They spread every where the most shocking and terrible accounts of the tyranny, which they had suffered; and revived among the Protestants all that hatred and antipathy against Popery, which its bloody and persecuting spirit had, in all ages, naturally inspired. Near fifty thousand refugees came over into England, and increased still farther, by their representations, the horror against the projects, which the king was supposed to have formed for the destruction of

of the Proteſtant religion. In vain did James affect to condemn the perſecutions of Lewis: in vain did he receive the diſtreſſed Hugonots with every token of ſympathy and compaſſion. All theſe ſymptoms of favour were conſidered as deceitful; inconſiſtent with the avowed principles of his ſect; and even contradicted by the ſeverities which he himſelf had exerciſed againſt the Preſbyterians in Scotland.

The ſmalleſt advance towards the introduction of Popery, muſt, in the preſent humour of the people, have excited a ſpirit of jealouſy and apprehenſion; much more ſo large a ſtride as that of diſpenſing with the teſt, the ſole ſecurity which, after the failure of the excluſion-bill, remained to prevent that fatal calamity. Yet was the king ſo obſtinate and bigotted that he ſtill reſolved to perſevere in his purpoſe; and having failed in engaging the parliament, he made an attempt, with more ſucceſs, for eſtabliſhing the diſpenſing power, by a verdict of his judges.

Sir Edward Hales, a new convert, had been rewarded for his complaiſance with the commiſſion of a colonel, and directions were now given to his coachman to ſue him for the penalty of five hundred pounds, which the law, enacting the teſt, had pro-

miſed to informers. By this ſham proſecution, the king expected, both from the authority of deciſion, and the nature of the thing, to put an end for ever to all diſputes with regard to his diſpenſing power.

Such violent diſguſt, however, had the people conceived againſt the uſe, which James made of his prerogative, that, before he brought on the trial of Hales, he was obliged to diſplace four of the judges, Jones, Montague, Charleton, Nevil; and even then it was with the utmoſt difficulty that he was able to obtain a deciſion in his favour.

The diſpenſing power was a prerogative, which had long been enjoyed by the king's of England, and the only intention of inveſting them with that authority, was, that, in caſes of extreme neceſſity, where the being of the ſtate was endangered, and which could not wait the ſlow deciſions of national aſſemblies, the ſovereign might apply an immediate remedy, and might even diſpenſe with any law, which might hinder him from performing ſo eſſential a ſervice. In this ſtrict and limited ſenſe only, could the diſpenſing power be lawfully excerciſed; and whenever it was ſo exerciſed, it never failed to be acknowledged and approved by the public. But that a power, which was origi-

originally granted for the ſafety of the conſtitution, might be employed in effecting its ruin, was ſuch an abſurd and ridiculous doctrine, that none but a prince, ſo weak and bigotted as James, could have hoped to ſee it eſtabliſhed, and none but judges, ſo wicked and corrupt as the preſent, could ever have been induced to confirm it by their verdict.

No wonder, that a deciſion, ſo inconſiſtent with all law and equity, and which ſtruck at the root of the Engliſh conſtitution, ſhould excite the moſt violent jealouſies and diſcontens in the nation. James, however, entirely regardleſs of the murmurs of the people, proceeded to avail himſelf of that authority, which, through many difficulties, and with ſo much injuſtice, he had acquired. Four Popiſh lords, Powis, Arundel, Bellaſis, and Dover, were admitted into the privy-council.

The king employed his whole ſtudy and attention in converting his ſubjects to the Catholic faith; and men plainly ſaw that the only way to acquire his confidence and affection, was by a ſacrifice of their religion. The earl of Sunderland was ſo baſe as to purchaſe favour at this price. Rocheſter the treaſurer, through the king's brother-in-law, yet becauſe he refuſed to give this inſtance

ſtance of complaiſance, was deprived of his office: the treaſury was put in commiſſion; and Bellaſis was appointed firſt lord of the board. Clarendon, keeper of the privy-ſeal, was likewiſe diſplaced for the ſame reaſon; and his office beſtowed upon the earl of Arundel.

The king even condeſcended to exhort Kirke to become a convert. That barbarian told him, that he would have been extremely willing to gratify his majeſty in this particular; but that he was unhappily pre-engaged, having already given his promiſe to the king of Morocco, that, if ever he changed his religion, he would turn Muſſelman.

The duke of Buckingdam, a wit and a deiſt, and even by ſome ſuſpected of atheiſm, was not contented with a ſimple refuſal. He plainly told his majeſty, that he had ſeriouſly conſidered all the arguments in defence of tranſubſtantiation: that, for his own part, he had been at great pains to bring himſelf to believe in God, the creator and preſerver of all men; but that it muſt be more than an ordinary kind of evidence which could make him believe, that man had returned the favour, and created God in his turn. James laboured with no leſs zeal to convert his Scottiſh ſubjects, and his endeavours in that kingdom were attend-

attended with greater ſucceſs. The earls of Murray, Perth, and Melfort, were perſuaded to embrace the court religion; and the two latter noblemen aſſigned a very courtly reaſon for their converſion. They ſaid, that the papers, wrote by the late king, had opened their eyes and convinced them of the ſuperior excellence of the Catholic religion.

Queenſberry, who ſhowed not the ſame complaiſance, was totally diſgraced, notwithſtanding his former ſervices, and the implicit ſubmiſſion which he had hitherto paid to the meaſures of the court. Theſe merits could not even ſecure him againſt the vengeance of his enemies. His rival, Perth, who had been ready to ſink under his ſuperior intereſt, now obtained an entire dominion, and all the complaints preferred againſt him, were totally forgotten. His faith, according to a ſaying of lord Halifax, had made him whole.

But it was in Ireland chiefly, that the king diſplayed his arbitrary principles, and acted with the moſt abſolute and deſpotic authority. Ormond was deprived of the lieutenancy; and though the primate and lord Granard, two Proteſtants, ſtill enjoyed the office of juſtices, the whole power was veſted in the hands of Talbot, the general, ſoon after advanced to the earldom

dom of Tyrconnel; a man, who, from the bigotry of his prejudices, and the virulence of his temper, was actuated with the moſt furious zeal for the Catholic cauſe.

After the ſuppreſſion of Monmouth's rebellion, Tyrconnel thought proper to diſarm all the Proteſtants, under pretence of preſerving the public tranquillity, and keeping their arms in a few magazines for the uſe of the militia. The next ſtep was to new model the army; and great numbers of officers were diſcarded, becauſe it was alledged, that they or their fathers had ſerved under Cromwell and the republic.

Nor were theſe the only ſufferers. Near three hundred officers more were afterwards diſmiſſed; though ſome of them had bought their commiſſions: about four or five thouſand private ſoldiers, becauſe they were Proteſtants, were diſbanded; and being ſtripped even of their regimentals, were turned out to ſtarve in the ſtreets. In the midſt of theſe violent and arbitrary proceedings, Clarendon, who had been appointed lord-lieutenant, arrived; but ſoon perceived, that, as he had refuſed to gratify the king, by changing his religion, he poſſeſſed no more than the ſhadow of authority. Nor was he ſuffered long to enjoy

enjoy even that: for as he exerted his utmoſt endeavours in defeating the deſigns of the Catholics, he was ſoon after deprived of his office, which was beſtowed upon Tyrconnel.

The Proteſtants were filled with the juſteſt and moſt terrible apprehenſions. All the civil authority, as well as the military force, was now committed to their implacable enemies; inflamed with hereditary hatred, and actuated by every motive, which either the love of power, or the prejudices of religion could inſpire. Even the lawleſs banditti were let looſe to prey on them in their preſent defenceleſs condition. A renewal of the ancient maſſacres was dreaded; and many, alarmed at the imminent dangers, to which they were expoſed, abandoned the kingdom, and infuſed into the Engliſh the utmoſt horror of theſe outrages, which were now committed in Ireland, and which, ſhould the Catholics gain the aſcendant, would ſoon after be practiſed in England.

The more ſenſible part of the Catholics themſelves were diſatisfied with theſe violent meaſures, and could eaſily foreſee the conſequences. But James was entirely guided by the raſh councils of his queen and confeſſor, father Peters, a Jeſuit, who was ſoon after

after admitted into the privy-council. He imagined too, that, as he was now growing old, it behoved to take large and hasty steps, as he himself is said to have expressed it, in order to carry his designs into execution; lest his death should prevent the accomplishment of the glorious work, and the accession of the princess of Orange defeat all his projects.

In vain did Arundel, Powis, and Bellasis remonstrate, and advise him to proceed with more circumspection. James, whose zeal was only exceeded by his folly, would listen to no moderate councils; but was fully determined to convert his subjects, if not by persuasions at least by force, to that religion, which alone he believed to be of heavenly origin.

Conscious, however, that the evidence of truth may be easily obscured by the sophistry of heretics, he issued orders, forbidding the preachers to discourse in their sermons, on the controverted points of divinity. These orders, instead of answering the intended purpose, served only to remind the preachers of their duty. The most spirited declarations were every where made against the errors and absurdities of Popery. Dr. Sharpe in particular, a clergyman of London, exposed the ignorance and weakness

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of thoſe who had been induced to change their religion by ſuch pitiful arguments as the Papiſts could employ. This topic, being ſuppoſed to reflect on the king, was highly reſented at court; and poſitive orders were given to the biſhop of London, his dioceſan, immediately to ſuſpend Sharpe, till his majeſty's pleaſure ſhould be further known.

The prelate alledged, that he could not, by any means, obey theſe commands, and that he had no right, in ſuch a ſummary manner, to condemn any one, even for the greateſt offence. But neither this apology, which was ſo ſatisfactory, nor the moſt humble ſubmiſſion, made by the prelate and by Sharpe himſelf, could appeaſe the reſentment of the court. The king was determined to be revenged on the preacher. The biſhop himſelf he reſolved to puniſh for preſuming to diſobey his deſpotic commands; and the expedient which he employed for that purpoſe, was as illegal as the puniſhment was cruel.

Of all the inſtruments of arbitrary power, none had ever been more odious and deteſtable than the court of high-commiſſion, which, together with the ſtar-chamber, had been aboliſhed in the reign of Charles the firſt by act of parliament; to which a

clauſe was likewiſe added, prohibiting the re-eſtabliſhment of that court, or any other of a like nature. Such was the violent and impetuous temper of James, that he reſolved to pay no regard to this law; and he erected a new eccleſiaſtical commiſſion, compoſed of ſeven members, Sancroft, archbiſhop of Canterbury, Crew and Sprat, biſhops of Durham and Rocheſter, the earls of Rocheſter and Sunderland, chancellor Jefferies, and lord-chief-juſtice Herbert. The archbiſhop, however, refuſed to act, and the biſhop of Cheſter was appointed in his place.

Theſe commiſſioners were veſted with the ſame inquiſitorial powers, which had been poſſeſſed by the former court of high-commiſſion. They might proceed upon bare ſuſpicions; and the better to diſplay the triumph of tyranny over liberty, it was expreſsly inſerted in their patent, that they were to exerciſe their juriſdiction, all laws and ſtates to the contrary notwithſtanding. The king's deſign to overturn the church was now ſufficiently known; and had he been able to eſtabliſh the authority of this new-erected court, he had probably ſucceeded in his purpoſe. A more open inſult could not be offered both to the national liberty and religion; and happily the con-

conteſt could not be tried in a cauſe more unpopular and more unjuſt than that againſt Dr. Sharpe and the biſhop of London.

The prelate was ſummoned before the commiſſioners. After objecting to the legality of the court, and inſiſting on the privilege of all Chriſtian biſhops to be tried by the metropolitan and his ſuffragans; he alledged in his own defence, that as it behoved him, if he had ſuſpended Dr. Sharpe, to act in the capacity of a judge, he could not, conſiſtent either with law or juſtice, pronounce ſentence without a previous citation and trial: that he had by petition informed his majeſty of this difficulty; and not being favoured with any anſwer, he had reaſon to believe his petition had given full ſatisfaction: that, in order to do all that lay in his power, he had adviſed Sharpe to preach no more, until he had juſtified his conduct to the king; an advice, which, coming from a ſuperior, was equal to a command, and had accordingly been obeyed with the utmoſt punctuality: that he had thus in his humble opinion complied entirely with his majeſty's pleaſure; but if he ſhould happen to have been miſtaken, or to have failed in his duty in any particular, he was now willing to aſk pardon, and to make reparation.

Such a modeſt and ſubmiſſive apology, would have been ſufficient to ſatisfy any man, leſs rigid and inflexible than James; but that obſtinate prince was determined to make an example: orders were ſent to the commiſſioners to proceed: and by a majority the biſhop, as well as the doctor, was ſuſpended.

The next expedient which James employ-for effecting the ruin of the Engliſh church, and eſtabliſhing his own religion in the kingdom, was of a nature more ſpecious and plauſible. He now pretended to be a great patron of toleration, and a profeſſed enemy to all manner of perſecution. Not ſatisfied with granting diſpenſations to particular perſons, he aſſumed a power of publiſhing a declaration of general indulgence, and of ſuſpending at once all the penal ſtatutes, which required a conformity to the eſtabliſhed worſhip.*

Conſcious, however, that this meaſure would be ſtrongly oppoſed by the church, he began to pay court to the Diſſenters; and he imagined, that, by playing one party againſt another, he would eaſily, in the end, triumph over both; an artful and refined policy, it muſt be owned, but ſuch as he

* A. D. 1687.

he had neither prudence nor ſagacity to conduct. His intention was ſo evident, that it could not eſcape even the moſt ſtupid of the Nonconformiſts. They knew, that the ſpirit of their religion was directly oppoſite to that of the Catholics, the ſole object of the king's regard.

They were ſenſible, that both the ſeverity of his temper, and the bigotted prejudices of his religion were totally inconſiſtent with the generous principles of toleration. They had obſerved, that, on his acceſſion to the crown, as well as during his brother's reign, he had courted the church at their expence; nor was it till his violent and pernicious deſigns were oppoſed by the prelates, that he had deigned to apply to the Nonconformiſts.

All his favours, therefore, muſt, to every man of judgement among the Diſſenters, appear plainly to be deceitful and fallacious: yet ſuch was the pleaſure derived from preſent eaſe, ſuch their hatred againſt the church, they every where expreſſed the moſt entire ſubmiſſion to his majeſty, and the moſt hearty acquieſcence in his meaſures; and could not forbear diſcovering their joy at the victory they had gained over their enemies.

But had the Diſſenters been ever ſo willing to ſhut their eyes with regard to the king's intentions, the manner of proſecuting his ſcheme in Scotland was fully ſufficient to open them. The king firſt had recourſe to the Scottiſh parliament, and required an indulgence for the Catholics alone, without including the Preſbyterians: but that aſſembly, notwithſtanding the ſhameful ſacrifices, which they had made of their civil liberties, were ſtill determined to adhere to their religion; and they now for the firſt time refuſed to comply with his majeſty's requeſt.

James, therefore, found himſelf obliged to make uſe of his prerogative; and he accordingly iſſued a declaration, granting to the Catholics, all the rights and privileges, whether civil or religious, enjoyed by his Proteſtant ſubjects. In order, however, if poſſible, to leſſen the odium of this meaſure, he, at the ſame time, indulged the Preſbyterians with the liberty of exerciſing their religion in private houſes; but he ſtrictly enjoined, that all who frequented field-conventicles, whom he was pleaſed to denominate rebels and traitors, ſhould be puniſhed with the utmoſt rigour of the law.

As if Popery was already eſtabliſhed, he declared, "that he would never uſe force

"or

" or *invincible neceſſity* againſt any man on " account of his perſuaſion or the Proteſ- " tant religion." It is likewiſe obſervable, that the king declared in expreſs terms, " that he had thought fit, by his ſovereign " authority, prerogative, royal and *abſolute* " power, which all his ſubjects were to o- " bey *without reſerve*, to grant this royal " toleration."

Other princes have been content with enſlaving their ſubjects by ſecret and indirect means, and then leaving them to feel the weight of the yoke, after once it had been thoroughly impoſed: but James was not ſatisfied with this common and ordinary method: he was reſolved to proceed in a manner entirely new: he was determined not only to erect an arbitrary government, but even to acquaint his ſubjects before hand, that ſuch was his intention; a very humane and good-natured proceeding, it muſt be owned! as, by this previous intelligence, he apprized them of the danger, and enabled them to preſerve thoſe liberties, which otherwiſe, in a ſhort time, they might irretrievably have loſt.

The Engliſh were ſenſible, that, by the conſtitution of the government, the king was legally intitled to as much authority in his Southern as in his Northern kingdom; and

and therefore, though the declaration of indulgence issued for England was expressed in more modest and submissive terms, they could not fail to be alarmed at the arbitrary measures which were pursued in Scotland.

It is very observable, that in the English declaration there were many clauses of a singular nature. The king there promised, that he would maintain his loving subjects in all their properties and possessions, as well as of church and abbey lands as of any other. It was remarked, that, if the full establishment of Popery was not at hand, this promise was entirely useless; and it was therefore supposed, that the king was so elate with joy on the prospect of this glorious event, that he could not already deny himself the pleasure of discovering it to the world.

But James was not satisfied with rendering himself ridiculous in his own kingdom: he was determined that all Europe should be witness of his folly. He publicly sent the earl of Castlemain ambassador-extraordinary to Rome, in order to make his submission to the pope, and to reconcile his three kingdoms to the holy see, from which they had unhappily, for more than a century, fallen off by heresy.

Never

Never man, who came on ſo important an errand, met with ſo ungracious and uncivil a reception. The pope perceived, that James's zeal was without knowledge, and that his ardour for promoting the Catholic cauſe had entirely turned his brains. To pretend to reconcile three kingdoms to the Romiſh church, on account of a few late converſions, was ſuch an abſurd and ridiculous farce, that he was reſolved not to expoſe himſelf by appearing as one of the actors.

Accordingly, though he favoured the ambaſſador with an audience, he always pretended to be ſeized with a fit of coughing, which interrupted the earl's ſpeech, and obliged him to retire. The earl made ſeveral new attempts to deliver his meſſage; but the pope ſtill happened to labour under the ſame malady. At length the ambaſſador, piqued at this treatment, threatened to return. The pope, with his uſual coldneſs, told him, "that, ſince he would be gone, he would "adviſe him to travel in the cool of the "morning, and repoſe himſelf during the "heat of the day; otherwiſe the climate "of Italy might prove dangerous to his "health."

But notwithſtanding the unfavourable reception, which his holineſs gave to the Engliſh ambaſſador, he yet reſolved to return the

the compliment by ſending a nuncio to London. He probably thought, that, though he could not, without expoſing himſelf to public ridicule, receive the reconciliation of a kingdom, in which there was not one in a hundred of the Catholic communion; he might yet very decently contribute his aſſiſtance towards the promotion of that work, which James ſeemed to have ſo much at heart.

By act of parliament any communication with the pope was declared high treaſon: but the king now conſidered himſelf as entirely above the laws; and he gave the nuncio a public and ſolemn audience at Windſor. The duke of Somerſet, one of the lords of the bed-chamber, becauſe he declined to be preſent at the ceremony, was deprived of his employments. The nuncio continued to reſide at London during the whole of this reign.

Four Catholic biſhops were publicly conſecrated in the king's chapel, and diſpatched, under the title of vicars apoſtolical, to exerciſe the epiſcopal function in their ſeveral dioceſes. Their paſtoral letters, addreſſed to the lay Catholics of England, were printed, by the king's expreſs order, and diſperſed through all parts of the kingdom. The regular clergy of that communion appeared

peared at court in the habits of their order; and ſome of them were ſo impudent as to boaſt, that, in a ſhort time, they expected to walk in proceſſion through Cheapſide.

The king having already introduced the Catholics into the adminiſtration of civil affairs, reſolved likewiſe to procure them admiſſion into the church and univerſities. Father Francis, a Benedictine monk, was recommended by royal mandate to the univerſity of Cambridge for the degree of Maſter of Arts; and as it is uſual for the univerſity to beſtow that degree on men diſtinguiſhed for learning, without regard to their religion, the king flattered himſelf with the hopes of a ready compliance. But the univerſity wiſely judged, that there was a wide difference between a compliment payed to foreigners, and degrees which gave a right to vote in all the elections and decrees of the univerſity, and which, if conferred on Catholics, would infallibly in time render that ſect entirely ſuperior.

They therefore petitioned the king to recall his mandate, and were ſummoned before the eccleſiaſtical commiſſion to anſwer for this act of diſobedience. The vice-chancellor was ſuſpended; but as the univerſity choſe a man of ſpirit to ſucceed him, the king

king thought proper to deſiſt from his purpoſe.

James having failed in this attempt, reſolved to try his influence with the univerſity of Oxford. He probably imagined, that as they had been ſo very ready to eſtabliſh the doctrine of paſſive-obedience, they would now, when an opportunity offered, be willing to reduce their principles to practice. The preſident of Magdalen college, one of the richeſt foundations in Europe, dying about this time, the king ſent a mandate in favour of Farmer, a new convert, but one, who, beſides his religion, was not qualified in other reſpects to enjoy that important office.

It ſoon appeared, that the univerſity could not act up to their own principles. The fellows of the college petitioned the king to revoke his mandate; but before they received an anſwer, the day arrived, on which, by their ſtatutes, they were bound to proceed to an election. They choſe Dr. Hough, a man of learning, as well as of the vigour and reſolution neceſſary for aſſerting his own rights and thoſe of the univerſity.

In order to puniſh the college for this inſtance of diſobedience, an inferior eccleſiaſtical commiſſion was appointed, and the new preſident and the fellows were ſummoned before

before that court. So little regard had been had to any other conſideration beſides religion, that Farmer, on examination, was found to be guilty of the loweſt and moſt ſcandalous vices; inſomuch that even the commiſſioners were aſhamed to inſiſt on his election. A new mandate was, therefore, granted in favour of Parker, lately advanced to the ſee of Oxford, a man of a profligate character, but who, like Farmer, attoned for all his vices by his avowed willingneſs to embrace the Catholic communion.

The fellows alledged, that all preſidents had ever been appointed by election, and there were even few inſtances of the king's recommending any candidate: that having already elected a preſident in the moſt regular manner, they could not, without the greateſt injuſtice, deprive him of his office, and place another in his room: that, even if there was a vacancy, Parker, by the ſtatutes of their founder, could not be admitted: that they had, all of them, taken an oath to obſerve theſe ſtatutes, and never, on any account, to accept of a diſpenſation: and that the college had, at all times, been ſo remarkable for its loyalty, that nothing but the moſt invincible neceſſity could now oblige them to refuſe obedience to his majeſty's orders.

The king, incenſed at their refractory behaviour, repaired in perſon to Oxford, and ſummoned the fellows before him. He reproached them, in the moſt virulent terms, for their arrogance and preſumption, as he called it, and commanded them to elect the biſhop of Oxford, under pain of his higheſt diſpleaſure. The fellows continued inflexible: and the king, having expoſed himſelf to the contempt and ridicule of the whole nation, returned with ſhame and confuſion to London.

The eccleſiaſtical commiſſioners, however, in obedience to his majeſty's orders, proceeded to exerciſe their diſcretionary power. They expelled the preſident, and all the fellows, except two who complied; they filled the college with Catholics; and they eſtabliſhed Parker in the poſſeſſion of his office. Had any thing been wanting to convince the nation of the king's arbitrary and deſpotic deſigns, this outrage muſt ſurely have been ſufficient: for of all the violences, committed during the preſent reign, this may be ſaid to be the moſt openly illegal and unjuſt.

When the crown-lawyers had endeavoured to eſtabliſh the diſpenſing power, they had ſtill allowed, that it could not extend to thoſe ſtatutes which regard private property:

ty: yet in this inſtance it appeared, that even theſe were not ſecure from invaſion. The privileges of a college are violated: men are illegally deprived of their property, for adhering to their duty, to their oaths, and to their religion: the fountains of the church are attempted to be poiſoned; nor would it be long, it was apprehended, before all preferments, as well civil as eccleſiaſtical, would be conferred on thoſe only, who, regardleſs of honour, virtue, and integrity, baſely abandoned their faith for the ſake of their temporal intereſts. Such were the general ſentiments of the nation; and as the univerſities have a cloſe connexion with the eccleſiaſtical order; and deeply intereſt all thoſe who have there been educated; this arbitrary and deſpotic meaſure excited the loudeſt clamours and complaints againſt the king's adminiſtration.

James, however, in order to ſhow his ſupreme contempt for all theſe murmurs of the people, publiſhed in the beginning of the year,* a ſecond declaration of indulgence, almoſt in the ſame terms with the former; and he ſubjoined an order, commanding the clergy, immediately after di-

* A. D. 1688.

vine ſervice, to read it in their churches. As they were well known to condemn the late exerciſe of the diſpenſing power, this clauſe, they imagined, could only be intended as an inſult upon them; and they were ſenſible, that, by complying with his majeſty's order, they would expoſe themſelves, not only to public deriſion, an account of their tame and puſillanimous conduct, but even to public hatred and averſion by indirectly lending their aſſiſtance to effect the ruin of the Proteſtant religion.

They were therefore determined, almoſt univerſally, to refuſe obedience, and in order to confirm them in this reſolution, ſix biſhops, Lloyd of St. Aſaph, Ken of Bath and Wells, Turner of Ely, Lake of Chicheſter, White of Peterborow, and Trelawney of Briſtol, aſſembled privately at the primate's palace, and drew up a petition to the king.

They there repreſented, that, though poſſeſſed of the higheſt ſenſe of loyalty, a virtue for which the church of England had ever been diſtinguiſhed; though deſirous of giving eaſe to all Proteſtant diſſenters in a legal manner: yet, as the declaration of indulgence was founded on an authority, formerly declared illegal by parliament, they could not in prudence, honour, or conſcience,

ſcience, conſent to be acceſſary in diſtributing it through the kingdom; and they therefore beſought his majeſty to free them from the neceſſity of reading the declaration in public.

Obſtinacy, which the court-ſycophants called conſtancy, was a diſtinguiſhing characteriſtic of James. Far from being able to yield to the greateſt oppoſition, he was not even capable of enduring the ſlighteſt and moſt reſpectful contradiction. He inſtantly embraced a reſolution (and his reſolutions, when embraced, were unalterable) of puniſhing the biſhops for a petition, ſo reaſonable in its matter, and ſo modeſt and ſubmiſſive in its manner.

As the petition had been delivered him in private, he ſummoned them before the council; and then aſked them whether they would own it. The biſhops, ſurprized at ſuch a queſtion with regard to a paper, which they themſelves had preſented, imagined that ſome ſnare was laid for them, and therefore declined to give an anſwer. At laſt, being preſſed more cloſely by the chancellor, the archbiſhop acknowledged that it was written by him, and all the reſt declared that they had ſigned it.

They were then aſked if they would give bail to appear in the the court of king's

bench, and answer to the charge, which should be brought against them, of endeavouring to diminish the king's authority, and disturb the peace of the kingdom. With this condition they refused to comply, alledging their privilege in quality of peers, which they were bound to maintain, as well as the interests of the church, according to the oath they had taken to oppose all innovations in church and state.

The chancellor required them to retract their assertions and withdraw their petition, otherwise he would immediately commit them to the Tower. They said, that they were ready to go whithersoever the king should please to send them; that they hoped the king of kings wouldbe their protector and their judge; that they were not afraid of man; and that, as they were not conscious of having violated any law, no menaces could shake their resolution. An order was immediately drawn for their commitment; and the crown-lawyers were commanded to prosecute them for the seditious libel, which, it was pretended, they had written and published against the government.

The people were already apprized of the danger to which the prelates were exposed; and were filled with the utmost anxiety and concern with regard to the issue of an affair

fair of ſuch a ſingular and intereſting nature. But when they obſerved theſe fathers of the church brought from court under a guard; when they ſaw them put on board of veſſels in the river, and conducted to the Tower, all their love for liberty, all their zeal for religion, were inflamed to a ten-fold height, and they flew to behold this affecting and alarming ſpectacle.

The whole ſhore was lined with multitudes of people, who at once implored the bleſſing of theſe reverend paſtors, and preferred their petitions to heaven for protection during this extreme danger, to which their liberty and religion were expoſed. Even the ſoldiers, moved by the ſympathy of example, fell on their knees before the diſtreſſed prelates, and craved the benediction of thoſe criminals, whom they were appointed to guard.

The biſhops themſelves increaſed the general favour by the moſt humble and ſubmiſſive deportment; and ſtill conjured the people to fear God, honour the king, and maintain their loyalty. And no ſooner had they entered the Tower, than they haſtened to chapel, in order to thank heaven for thoſe afflictions, which, for the ſake of religion, they were thought worthy to indure.

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In their way to their trial, to which they were ſoon after brought, they were attended, if poſſible, by ſtill greater multitudes. Twenty-nine temporal peers accompanied the priſoners to Weſtminſter-hall; and ſuch crowds of gentry followed, that ſcarce any room was left for the populace to enter. The lawyers for the biſhops were Sir Robert Sawyer, Sir Francis Pemberton, Pollexfen, Treby, and Sommers. No cauſe, even during the heat of the Popiſh plot, was ever heard with ſo much anxiety and attention. The king's meaſures were now become ſo extremely unpopular, that all men were ſtrongly prepoſſeſſed in favour of the prelates.

The council for the priſoners urged, that the law permitted ſubjects, if they thought themſelves aggrieved in any particular, to petition the king, provided they kept within certain bounds, which the ſame law preſcribed, and which in the preſent petition the prelates had not exceeded: that an active obedience in caſes, which were not only inconſiſtent with the laws of the land, but even with the dictates of conſcience, was never yet claimed by any government: that when any perſon was required to comply with orders, which he could not obey, it

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was more dutiful in him to acquaint the prince with his reaſons of refuſal, than to remain in an obſtinate and ſullen ſilence: that it was no breach of duty in ſubjects, even though not particularly invited, to expreſs their ſentiments of public meaſures, in which every one was ſo deeply intereſted: that the biſhops, in the preſent caſe, were invited and even obliged, and behoved either to ſhow their approbation by compliance, or their diſapprobation by petition: that it could be no ſedition to deny the prerogative of diſpenſing with the laws; becauſe there was really no ſuch prerogative, nor ever could be, in any legal and limited government: that even admitting this prerogative to be real, it had yet been frequently diſputed before the whole nation, both in Weſtminſter-hall, and both houſes of parliament; and no one had ever thought of inflicting any puniſhment on thoſe who denied it: that the prelates, inſtead of alarming the nation, by making an appeal to the people, had applied in private to his majeſty, and had even delivered their petition ſo ſecretly, that, except by the confeſſion, extorted from before the council, it was abſolutely impoſſible to prove them the authors: and that though the petition was afterwards printed and publiſhed, it was not

not ſo much as attempted to be proved, that it had been done with their knowledge and conſent.

To theſe ſolid and ſatisfactory arguments, the crown-lawyers had nothing to oppoſe but ſome quirks and quibbles, which were nothing to the purpoſe. Even ſome of the judges, though their ſeats were held during pleaſure, gave their opinion in favour of the priſoners. The jury, however, whether it was, that they could not come to an immediate agreement, or in order to render their deciſion more ſolemn, took ſeveral hours to deliberate, and kept, during ſo long a time, the whole people in the utmoſt anxiety. But when the wiſhed-for verdict of not guilty was at laſt returned, the intelligence was refounded through the whole hall, was communicated to the crouds without, was conveyed into the city, and was diffuſed with infinite joy through the whole nation.

Ever ſince the ſuppreſſion of Monmouth's rebellion, the king had, every ſummer, encamped his army on Hounſlow-heath, that he might at once accuſtom them to a more regular diſcipline, and by ſo uncommon a ſpectacle, overawe the minds of the diſcontented citizens. A Popiſh chapel was opened and frequented in the midſt of the camp; and

and great pains were taken, though in vain, to convert the ſoldiers to that communion. The few proſelytes, whom the prieſts had gained, were expoſed to ſuch contempt and ridicule, that every one was deterred, by a ſenſe of ſhame as well as of duty, from following the example.

It happened that the very day, on which the biſhops were acquitted, the king had reviewed the troops, and had ſat down to dinner in lord Feverſham, the general's tent, when he was ſtruck with the noiſe of a great uproar in the camp, accompanied with the moſt extravagant marks of tumultous joy. He inſtantly ſent out the general to inquire into the cauſe of this exultation: and when that nobleman returned and told him, "it was nothing but the rejoicing of the ſoldiers for the acquital of "the biſhops;" "do you call that nothing," replied he, "but ſo much the "worſe for them."

James had hitherto imagined, that, in caſe of extremity, he might ſafely depend on the attachment of the army; and it was by their means chiefly, that he expected, in the end, fully to accompliſh his arbitrary deſigns. This incident, gave him ſome reaſon to doubt their fidelity, and he therefore reſolved to bring the matter to a ſurer

and

and more infallible teſt. He thought, that if one regiment would promiſe implicit obedience, their example would be ſufficient to influence the reſt of the forces.

With this hope, he ordered lord Litchfield's regiment to be drawn up in his preſence; and the major, by his command, deſired all thoſe, who would not contribute to the repeal of the teſt and penal laws, to lay down their muſquets. In a moment, the whole batallion grounded their arms, except two officers, and a few ſoldiers, who were Roman Catholics. The king, thunderſtruck at this circumſtance, ſtood for ſome time ſpeechleſs; but at laſt recovering from his ſurprize, he commanded the ſoldiers to take up their arms, telling them with a ſullen air, "that for the future he "would not do them the honour to aſk "their advice."

His next ſcheme was to diſcard the greateſt part of the Proteſtant officers and ſoldiers, and ſubſtitute Catholics in their place. He began by new modelling the regiment commanded by his own natural ſon the duke of Berwick. Thirty Iriſh ſoldiers were propoſed to be inliſted into this corps. Beaumont the lieutenant-colonel, and ſeveral captains, refuſed to admit the Catholic recruits. For this offence they were tried by a council of war,

war, and dismissed the service; and the intended alteration accordingly took place. The navy was not more complaisant than the army. Admiral Strickland having ordered mass to be said on board of his ship, the sailors were enraged to such a degree, that it was with great difficulty they could be restrained from throwing the priests into the sea.

The king's obstinacy seemed to increase in proportion to the opposition he met with. Though he knew, that the whole nation, except a handful of Catholics, were incensed at his past proceedings, and still more alarmed at the prospect of his future intentions; though he saw, that both the army and navy were infected with the general spirit of dissatisfaction; yet was he incapable of altering his measures, or even of abating his violence in the prosecution of them.

He displaced two of the judges, Powel and Holloway, who had declared in favour of the bishops: he issued orders to prosecute all those clergymen who had refused to read his declaration; that is, the whole church of England, two hundred excepted: he sent a mandate to the Catholic fellows, whom he had forced into Magdalen-college, to chuse for president, in the room of Parker, lately deceased, one Gifford, a

doctor of the Sorbonne, and titular bishop of Madaura; and he is even said to have nominated the same person to the see of Oxford. Nothing surely could have induced the people to submit to the oppressions, under which they now laboured, but the probable prospect, of what indeed soon after happened; that James, by his furious and headstrong conduct would, in a short time, render himself incapable of doing any more mischief, and by that deliver them from all their grievances.

A few days before the trial of the bishops, an event happened, which greatly engaged the attention of the public. On the tenth of June, the queen was said to have been brought to bed of a son, who was christened by the name of James, and who is still alive at Rome under the title of the chevalier de St. George. This blessing was impatiently longed for, not only by the king and queen, but by all the zealous Catholics in the kingdom. They observed, that the king was now in the decline of life, and that on his death the succession must fall on the prince and princess of Orange, two zealous Protestants, who would probably overturn the beautiful structure, which James had, for some time, been endeavouring to rear. Vows were therefore offer-

offered at every ſhine for a male ſucceſſor; pilgrimages were performed, particularly one to Loretto by the dutcheſs of Modena, mother to the queen; and ſucceſs was chiefly aſcribed to that pious office. But in proportion as this event raiſed the hopes of the Catholics, it diminiſhed thoſe of the Proteſtants, by depriving them of that pleaſing, though ſomewhat diſtant, proſpect of ſeeing a Proteſtant prince on the throne.

Thus it appears, that both parties laboured under ſuch violent prejudices as could not fail to influence their judgment.

The Catholics were ſo deeply intereſted to have a Popiſh ſucceſſor, that they may well be ſuppoſed willing to procure themſelves that advantage by any expedient, even by palming an impoſture on the world. The Proteſtants, on the other hand, were ſo much concerned to prevent that misfortune, that they might poſſibly be inclined to deny the plaineſt facts, and to doubt of circumſtances, which otherwiſe perhaps would never have been called in queſtion. And accordingly, in effect, this, in ſome meaſure, happened to be the caſe. The Catholics affirmed, and probably, as they thought, with reaſon, that the prince of Wales was the true and genuine ſon of the queen: the Proteſtants alledged, with as

much confidence, and, in all likelihood, with as thorough a conviction, that, the pretended prince was only a ſpurious and ſuppoſititious child.

This affair has been the ſubject of much controverſy and diſpute; and ſome important, and many trifling circumſtances have been collected by the writers on both ſides, in order to ſupport their favourite opinion. From a candid and impartial examination of the arguments advanced by both parties, it ſeems extremely difficult, if not impoſſible, to draw any fixed and certain concluſion; and this we eſteem the leſs neceſſary, as the queſtion is now allowed to be a matter of mere curioſity.

We imagine, indeed, that with men of ſenſe it was always conſidered in the ſame light; becauſe, if the prince of Wales, ſuppoſing him to have been the true and genuine ſon of the king and queen, was to be educated, as, in all human probability, he was, in the principles of the Catholic religion; that circumſtance, in the judgment of every one, who wiſhes well to the liberty and religion of his country, would have as effectually diſqualified him for inheriting the crown of theſe kingdoms, as if he had been the ſon of a blackſmith.

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With regard to thoſe, who maintain the divine and indefeaſible nature of hereditary right; thoſe, who think, not that the good of the whole, but the happineſs of one man, is the end of all government; thoſe, who believe, not that one man was created for the ſake of millions, but that millions were created for the ſake of one man: with regard to people of this opinion, it is to be obſerved, that their numbers are now greatly diminiſhed, and are every day becoming leſs conſiderable, and, as the human mind expands its powers, and diveſts itſelf of prejudice, they will probably, in time, entirely vaniſh. This doctrine, indeed, ſeems to have been one of the pious frauds of the church of Rome; and it is ſurely ſtrange, that after renouncing all the other errors of that ſuperſtition, we ſhould be ſo inconſiſtent with ourſelves as ſtill to adhere to this, the moſt abſurd and ridiculous of any.

The prince of Orange, agreeable to that ſound underſtanding, by which he was ſo much diſtinguiſhed, had, ever ſince his marriage with the lady Mary, obſerved a very cautious and prudent conduct. He had laid it down as a maxim to interfere very little in Engliſh affairs, and never by any ſtep to offend any of the parties, or give umbrage to the prince who ſat on the throne. It was

at the requeſt of James himſelf, that the prince firſt took any part in the concerns of England.

Notwithſtanding the lofty idea, which the king had formed of his own prerogative, he was ſenſible, that the edicts, emitted from it, ſtill wanted much of the authority of laws, and that the continuance of them might, in the end, prove ruinous both to himſelf and to the Catholics, for whoſe benefit they were chiefly intended. An act of parliament alone could eſtabliſh the indulgence or toleration, which he had ventured to publiſh; and he imagined, that, if the prince would approve of that ſcheme, the members, who had hitherto rejected all his own applications, would at laſt be perſuaded to comply.

The conſent, therefore, of the prince to the repeal of the penal ſtatutes and of the teſt was earneſtly requeſted by the king; and in order to induce him to that meaſure, promiſes were made, that England would aſſiſt him in all thoſe enterprizes, which his active and extenſive genius had formed for humbling the power of the French monarch.

The prince, however, though extremely deſirous of the aſſiſtance of England, was unwilling to yield to thoſe conditions, on which alone it could be obtained. The king

king, he knew, had rendered himſelf extremely obnoxious and even odious to his own ſubjects: great apprehenſions were entertained of his arbitrary deſigns: the only reſource which the nation ſaw, was in the future ſucceſſion of the prince and princeſs: ſhould he approve of theſe pernicious meaſures, he would expoſe himſelf to all the hatred under which the king laboured: the nation might even refuſe to defray the expence of alliances, which in that caſe would be ſubject to ſuch ſtrong ſuſpicions: and he might himſelf incur the danger of loſing a crown, which he had in expectation, and which the extreme folly and imprudence of the king gave him ſome hopes of enjoying, before it ſhould deſcend to him by the courſe of nature.

For theſe reaſons the prince refuſed to agree to the repeal of the teſt, which he conſidered as the chief ſecurity of the Proteſtant religion. He was willing, however, to conſent to the ſuſpenſion of the penal laws, by which the Diſſenters, as well as Catholics, were expoſed to puniſhment.

The king, though diſappointed in this attempt, reſolved ſtill to make another trial. There was one Stuart, a Scottiſh lawyer, who had been baniſhed for treaſonable practices; but who had afterwards been indulged

ed with a pardon, and permitted to return to his native country. By the king's direction, Stuart ſent ſeveral letters to penſionary Fagel, with whom he was acquainted; and beſides repreſenting all the motives for a general toleration, he deſired, that his reaſons ſhould, in the king's name, be imparted to the prince and princeſs of Orange.

Fagel, for a long time, returned no anſwer; but finding that his ſilence was conſtrued into an aſſent, he at laſt declared his own ſentiments and thoſe of their highneſſes. He ſaid, that it was their firm opinion, that no man, while he behaved as a peaceable ſubject, ſhould ever be ſubjected to any puniſhment, or even moleſtation, merely for differing from the eſtabliſhed faith: that the teſt, however, was not to be regarded as a penalty inflicted on the profeſſors of any religion, but as a ſecurity provided for the preſervation of the eſtabliſhed worſhip: that it was no puniſhment on men to be excluded from public offices, and to live quietly on the rents of their own eſtates, or the effects of their own induſtry: that even in the United Provinces, where the principles of toleration were moſt prevalent, though all ſects were admitted, yet civil offices were held only by the profeſſors of the eſtabliſhed religion: that military commands indeed were

were ſometimes conferred on Catholics; but as they were given with great precaution, and ſtill were ſubject to the controul of the magiſtrate, they could afford no juſt cauſe of ſuſpicion; and that their highneſſes, though extremely willing to gratify the king, and to contribute all that lay in their power to make his reign peaceable and happy, could not conſent to any meaſure, which might prove ſo dangerous to the Proteſtant religion.

This letter being ſoon after publiſhed, contributed greatly to animate the Proteſtants, and to make them oppoſe the deſigns of the Catholics with the more fixed and determined reſolution. On the other hand, the king, who was not ſatisfied to procure his religion a bare toleration, but was reſolved to give it an entire ſuperiority, was extremely offended, and took every opportunity to expreſs his reſentment, as well againſt the prince of Orange, as the United Provinces.

He permitted the Algerine pirates, who preyed on the Dutch, to enter his harbours, and diſpoſe of their prizes. He revived ſome complaints of the Eaſt-India company with regard to the affair of Bantam. He recalled the ſix Britiſh regiments in the Dutch ſervice. He began to equip a formi-

formidable navy. And from all his preparations, the Dutch concluded, that he only ſought for a plauſible pretext of declaring war againſt them.

The prince, being thus puſhed to extremity, reſolved to provide for his own ſafety. He perſuaded the States to ſend Dykvelt into England; and gave inſtructions to that ambaſſador, not only to remonſtrate with the king on the folly and imprudence of his conduct, but likewiſe to apply, in his name, to every rank and denomination of men.

The church party he aſſured of his favour and regard, declaring, at the ſame time, that his education in Holland had no way prejudiced him againſt epiſcopal government. The Diſſenters he adviſed not to be cajolled with the deceitful promiſes of a Popiſh court, but patiently to wait, till, in the maturity of time, laws, enacted by Proteſtants, ſhould grant them that toleration, which, with ſo much reaſon, they had long demanded. Dykvelt executed his commiſſion with ſuch ability, that all men turned their eyes towards Holland, and expected thence a deliverance from thoſe oppreſſions, under which they at preſent laboured, and a protection againſt thoſe dangers, to which they were ſo immediately expoſed.

Secret

Secret applications were made to the prince of Orange by many of the moſt conſiderable perſons both in church and ſtate. Admiral Herbert, who was extremely beloved by the ſeamen, reſigned his commiſſion, and retired to the Hague, where he aſſured the prince of Orange of a general diſaffection in the navy. This intelligence was confirmed by admiral Ruſſel, couſin german of the unfortunate lord of that name, who paſſed frequently between England and Holland, and ſerved to keep up a conſtant correſpondence between the prince and the Engliſh Proteſtants.

Sidney, brother to Algernon, and uncle to the earl of Sunderland, went over to the Hague, under pretext of going to Spaw for his health, and had ſeveral conferences with the Stadtholder. Lord Dunblaine, ſon to the earl of Danby, made ſeveral voyages to Holland in a frigate of his own, and carried often from the nobility tenders of duty, and even conſiderable ſums of money, to the prince of Orange.

Zuyleſtein, who had been ſent over to congratulate the king on the birth of his ſon, brought back to the prince a formal invitation from moſt of the great men in England. The biſhop of London, the duke of Norfolk, the marquis of Halliſax, the

earls

earls of Dorset, Devonshire, Nottingham, Danby, the lords Lovelace, Delamere, Paulet, Eland, Mr. Hamboden, Powle, Lester, and many eminent citizens of London; all these persons, though of the most opposite parties, concurred in applications to the prince.

The Whigs, actuated by those principles of liberty, for which they have ever been distinguished, readily agreed to oppose a king, whose conduct had verified whatever his worst enemies had foretold of his succession. The Tories and the church party, finding their past services forgotten, their rights violated, their religion endangered, resolved to renounce for the present the doctrine of passive-obedience and non-resistance, and attend to the great and powerful calls of nature.

The Dissenters, suspecting the caresses of known and implacable enemies, judged the offers of toleration more secure from a prince trained up in these principles, and accustomed to that worship. And thus all parties, forgetting entirely their former animosity, concurred heartily in the same design of preserving the liberty and religion of their country, and opposing the arbitrary and despotic measures of their obstinate and bigotted sovereign.

The

The earl of Shrewſbury, a very popular nobleman, who had renounced the Catholic religion, in which he was educated, and reſigned his regiment, mortgaged his eſtate for forty thouſand pounds, and made a tender of his purſe and ſword to the prince of Orange. Lord Wharton, though oppreſſed with age and infirmities, had made a journey to Holland for the ſame purpoſe: and lord Mordaunt, who reſided at the Hague, conferred frequently with the prince of Orange, and puſhed on the enterprize with that bold and courageous ſpirit, for which he was ſo remarkable.

The prince was eaſily perſuaded to comply with the invitation of the Engliſh, and to undertake the defence of a nation, which, during its preſent diſtreſſes, ſeemed to have repoſed its ſole confidence in his friendſhip and protection.

The time when he began his enterprize was well choſen; as the people were then extremely incenſed, by the impriſonment of the biſhops, which was juſtly conſidered as an intollerable inſult not only to the church, but even to all the Proteſtants in the kingdom.

His method of conducting the preparations was no leſs prudent and politic. Under other pretexts he had previouſly equip-

ped a conſiderable fleet; and the ſhips were at that time lying in the harbour. Some additional troops were inliſted; and ſums of money, collected for other purpoſes, were applied for the uſe of this expedition. The States humbly concurred with him in all his meaſures, and partly from apprehenſion of the growing power of France, partly from diſguſt at ſome reſtraints laid on their commerce in that kingdom, were no leſs deſirous than the prince to ſee the enterprize brought to a happy iſſue.

Many of the neighbouring princes conſidered him as their guardian and protector, and conſtantly conſulted him in all their undertakings. He had interviews with the electors of Brandenburgh and Saxony, the landgrave of Heſſe Caſſel, and the whole houſe of Linenbourgh. It was reſolved, that theſe princes ſhould aſſemble their forces, and protect the United Provinces during the abſence of the prince of Orange.

Theſe troops were already on their march for that purpoſe: a conſiderable part of the Dutch army was encamped at Nimeguen: ever place was in motion; and though the roots of this conſpiracy reached from one end of Europe to the other, ſo ſecret were the prince's councils, ſo ſingular the ſituation of affairs, that he ſtill could conceal his

his preparations under other pretexts; and no one would diſcover his real intentions.

The prince, poſſeſſed with an inveterate animoſity againſt France, had lately exerted his utmoſt endeavours in order to check the growing power of that ambitious nation. By his intereſt and influence, a congreſs had been held at Auſbourg, where the princes of the empire, together with Spain, Holland, and Savoy, had engaged in a defenſive alliance againſt the French monarch.

Lewis, threatend by this formidable league, had determined to ſtrike the firſt blow againſt the confederates; and having picked a quarrel with the emperor and the elector Palatine, he had entered Germany with a great army and inveſted Philipſbourg. The elector of Cologne, who was likewiſe biſhop of Liege and Munſter, and whoſe territories lay contiguous to the United Provinces, had died about this time; and the competitors for that rich ſucceſſion were prince Clement of Bavaria, ſupported by the houſe of Auſtria, and the cardinal of Furſtembourg, patronized by the French monarch.

The pope, who inclined to the allies, was able to caſt the ballance againſt the parties, and prince Clement was elected; a circumſtance, which contributed greatly to the

ſafety of the States. But as the cardinal had made himſelf maſter of many of the fortreſſes, and had applied to France for aſſiſtance, the neighbouring territories were all in motion; and thus the preparations of the Dutch and their allies might be naturally ſuppoſed to be ſolely intended for their own ſecurity and protection.

The prince, however, with all his circumſpection, could not long deceive the French ambaſſador, the count D'Avaux. That miniſter had been able, from a compariſon of circumſtances, to diſcover the deſign of the Dutch preparations: and he inſtantly acquainted his maſter with the ſecret. Lewis tranſmitted the information to James; and at the ſame time made him a moſt important offer.

He propoſed to reinforce the Engliſh fleet with a ſquadron of French ſhips; and to tranſport into England any number of troops, which James ſhould deſire. When this propoſal was rejected, he again offered to abandon the ſiege of Philipſbourg, to advance with his army into the Netherlands, and by the terror of his arms to compel the Dutch to keep their forces at home. This propoſal was no better received than the former. James could not yet be perſuaded, that his ſon-in-law really intended to attack him.

Fully

Fully convinced himself of the sacred nature of his own authority, he imagined, that a like conviction was deeply impressed on the minds of his subjects; and notwithstanding the violent discontents which prevailed in the nation, he could break out into open rebellion.

His army, in which he still placed some confidence, and which he had considerably increased, would, he thought, be sufficiently able to repel foreign force, and to quell any insurrection among the populace. A small body of French troops, added to these, would serve only to excite murmurs; and furnish them with a pretext for mutinying against foreigners, at all times so odious and hateful to the nation. A great body of auxiliaries might indeed protect him both against a descent from Holland, and against the insurrection of his own subjects; but would afterwards be able to reduce him to entire subjection.

Even the French invasion of the Low-Countries might be productive of very fatal effects; might expose him anew to the imputation of having conspired the ruin of Holland and of the Protestant religion. Such were the reasons alledged by Sunderland, why the king should refuse the proffered assistance of Lewis; and it must be

owned, that they were extremely ſpecious and plauſible.

Still Lewis was loath to forſake a friend and ally, in whoſe welfare he conſidered himſelf as deeply intereſted. By the advice of Skelton, the king's miniſter at Paris, orders were diſpatched to D'Avaux, to remonſtrate with the States in Lewis's name againſt the preparations which they ſeemed to be making for a deſcent upon England. The ſtrict friendſhip and alliance, ſaid the French miniſter, which ſubſiſts between the two monarchs, will make Lewis conſider every attempt againſt his ally as an act of hoſtility againſt himſelf.

This remonſtrance, far from intimidating, ſerved only to incenſe the States. They demanded, with great vehemence, what was the purport of this alliance between France and England, which had been ſo ſecretly concluded? Whether it was of the ſame nature with the former: intended for the deſtruction of the Proteſtant religion? If it was, it then behoved them inſtantly to provide for their ſafety, and to defeat thoſe projects, which were formed againſt them.

Even James was offended at this officious interpoſition of Lewis. He recalled Skelton for his raſh conduct, and ſent him to the Tower. He ſolemnly diſowned D'Avaux's memo-

memorial; and affirmed that there was no alliance between him and Lewis, but what was publicly and univerſally known. The States, however, ſtill appeared to doubt this aſſertion; and the Engliſh, extremely prejudiced againſt their ſovereign, were firmly convinced that a ſcheme had been formed with Lewis for reducing them to entire ſlavery.

What the king hitherto had only ſuſpected he now found to be abſolutely certain. On the twenty-third of September, he received a letter from the marquis of Albeville, his miniſter at the Hague; acquainting him, that he muſt ſoon lay his account with a powerful invaſion from Holland, and that penſionary Fagel had at laſt confeſſed, that the intention of all the Dutch preparations was to make a deſcent upon England.

Though James could reaſonably expect no other intelligence, he was thunderſtruck at the news: he grew pale and trembled, and the letter dropped from his hands: his eyes were now opened, and he ſaw himſelf on the brink of a dreadful precipice, to which his own folly and imprudence had puſhed him, but which his bigotry and prejudices had hitherto covcealed from his view. His miniſters and counſellors were equally confounded with himſelf, and ſaw no other re-

reſource but in a ſudden and inſtantaneous retractation of all thoſe pernicious meaſures, by which he had expoſed himſelf to ſuch eminent danger.

He paid court to the Dutch, and offered to join with them in alliance for inſuring the general welfare of Europe: he reinſtated in all the counties the deputy-lieutenants and juſtices, who he had ſtripped of their effects for their adherence to the teſt and the penal laws. He reſtored the charters of London and of all the other corporations: he ſuppreſſed the court of eccleſiaſtical commiſſion: he took off the biſhop of London's ſuſpenſion: he re-eſtabliſhed the expelled preſident and fellows of Magdalen-college; and he was even obliged to careſs thoſe very biſhops whom he had ſo lately impriſoned and proſecuted.

All theſe meaſures were conſidered as the effects of fear, not of repentance: for as news arrived that the Dutch fleet was diſperſed by a ſtorm, he revoked, for ſome time, the conceſſions which he had made to Magdalen-college: a ſhrewd ſign of his inſincerity in his other conceſſions. Nay, ſo obſtinate and incurable was his bigotry, that amidſt his preſent diſtreſſes, occaſioned chiefly by his attachment to the Catholic religion, he could not forbear, at the bap-

baptiſm of the young prince, from naming the Pope to be one of the godfathers.

Meanwhile, the prince of Orange's manifeſto was publiſhed, and diſperſed over the whole kingdom. All the grievances of the nation were there repreſented; the diſpoſing and ſuſpending power; the court of eccleſiaſtical commiſſion; the intruding Catholics into public offices, and admitting a jeſuit to the council-board; the open encouragement given to Popery, by erecting every were churches, colleges, ſeminaries to that ſect; the diſplacing of judges, if they refuſed to paſs ſentence according to orders iſſued by the court; the annulling the charters of all the corporations, and the deſtroying entirely the freedom of elections; the treating petitions, even the moſt dutiful, and from perſons of the higheſt rank, as criminal and ſeditious; the entruſting the whole government of Ireland, civil and military, in the hands of Papiſts; the uſurping an abſolute power over the religion and laws of Scotland, and openly exacting in that kingdom an implicit and unlimited obedience; and the ſtrong preſumptions againſt the legitimacy of the prince of Wales.

For the better redreſſing of theſe grievances, the prince ſaid, that he propoſed to come over into England, with ſuch a force as would

would be ſufficient to protect him againſt the attempts of all thoſe who might endeavour to defeat his purpoſe: and that his ſole view was to have a legal and free parliament convoked, who might provide for the liberty and ſafety of the nation, as well as inquire into the prince of Wales's legitimacy.

He added, that he hoped no one would do him the injuſtice to imagine, that he had formed any other deſigns than to procure the full and laſting eſtabliſhment of the religion, liberty, and property of the ſubject: that the force, which he propoſed to bring with him, was wholly unequal to the purpoſe of a conqueſt; nor could any one ſuſpect, that ſo many eminent perſons, both in church and ſtate, would have given him ſo many ſolemn invitations for ſuch a pernicious end: that though the Engliſh miniſters, alarmed at his enterprize, had pretended to redreſs ſome of the public grievances; there ſtill remained the root of all grievances, that which in a moment could again renew them, an arbitrary and deſpotic power in the crown; and that this uſurpation could be no otherwiſe deſtroyed, than by a full declaration of all the rights of the ſubject in a free parliament.

At

At the ſame time, the States-general publiſhed a paper, containing the reaſons which had induced them to lend their ſhips and men to the prince of Orange; viz. the invitation which that prince had received from the nobility, gentry, and clergy of England; and the apprehenſions that king James, after he ſhould have enſlaved his own kingdoms, would join with the French monarch in reducing the United-Provinces to ſlavery, and totally extirpating the Proteſtant religion.

So well laid was the prince's plan, that, in three days, above four hundred tranſports were engaged: the forces quickly embarked, and fell down the rivers and canals from Nimeguen; the artillery, arms, ſtores, and horſes were put on board; and on the twenty-firſt of October, the prince ſet ſail from Helvoet-Sluice, with a fleet of near five hundred veſſels, (fifty of which were ſhips of the line) and an army of above fourteen thouſand men.

He firſt met with a ſtorm, which obliged him to put back; but the damage being ſoon repaired, the fleet put to ſea under the the command of admiral Herbert, and made ſail with a fair wind towards the weſtern coaſt of England. The ſame wind confined the king's fleet in the river, and enabled the

Dutch

Dutch to pass the Straits of Dover without interruption.* Both the English and French shores were covered with infinite numbers of people, who besides admiring the grandeur of the spectacle, were filled with the utmost anxiety for the issue of an enterprize, the most important, which, for some centuries, had been attempted in Europe. After a quick and easy voyage, the prince disembarked his army in Torbay on the fifth of November, the anniversary of the gun-powder treason.

The Dutch army advanced to Exeter; where the prince's declaration was instantly published. The whole county was so intimidated by the executions which had succeeded Monmouth's rebellion, that for several days nobody repaired to the prince's standard. The bishop of Exeter, struck with a panic, fled immediately to London, and conveyed to court the first news of the invasion. For this instance of loyalty, he was rewarded with the archbishopric of York, which had long been kept vacant, with a design,

* This circumstance of the same wind being favourable to the Dutch and unfavourable to the king's fleet, gave occasion to apply the two famous lines of Claudian to the prince of Orange:

"O! nimium dilecte Deo, cui militat æther,
"Et conjurati veniunt ad classica venti."

design, as was generally ſuſpected, of conferring it on ſome Catholic.

The firſt perſon who joined the prince was major Burrington; and his example was ſoon imitated by the gentry of the counties of Devon and Somerſet. Sir Edward Seymour propoſed an aſſociation, which was immediately framed and ſubſcribed by all preſent. In a few days, the earl of Abington, Mr. Ruſſel, ſon to the earl of Bedford, Mr. Wharton, Godfrey, Howe, repaired to Exeter. Lord Delamere took arms in Cheſhire.

The earl of Danby ſecured York, the earl of Bath, governour, declared in favour of the prince, the earl of Devonſhire made a like declaration in Derby: the nobility and gentry of Nottingham followed the ſame courſe; and every day there appeared ſome inſtance of that ſpirit of diſaffection, which had univerſally diffuſed itſelf through the whole nation

At this critical juncture the two archbiſhops, five other prelates, the dukes of Grafton and Ormond, the earls of Dorſet, Clare, Clarendon, Burlington, Angleſey, and Rocheſter, the lords Newport, Paget, Chandois, and Oſſulſton; all theſe aſſembling at London, drew up and preſented a petition to the king, intreating him to cone

voke a free parliament, and take measures for satisfying the prince of Orange. James replied, that he was extremely desirous of assembling a free parliament; pawned his royal word, that it should be assembled immediately after the prince's departure from the kingdom: but he could not, he said, take this step while an enemy was in the country, and had it in his power to influence the elections.

This answer was considered as a mere evasion, or rather, indeed, as a plain indication, that the king was determined to run all hazards rather than relinquish his arbitrary views. The prince had declared, that his sole intention in coming into England, was to procure a settlement of the religion and liberty of the nation; and as he had been invited by so great numbers, and was now joined by still greater, it was not likely, that he would quit the kingdom, until he had fully effected his purpose. This purpose, however, could not be accomplished without convoking a free parliament; and therefore the king, in refusing to summon that assembly, plainly discovered his fixt resolution still to adhere to his former maxims, and never to yield to the desires of his subjects.

James's

James's obſtinacy was probably ſupported by the confidence which he had in the attachment of the army; but it ſoon appeared, that this confidence was very ill founded. The officers ſeemed all determined to prefer the intereſts of their country and religion to thoſe principles of honour and fidelity, which, when kept in ſubordination to the former motives, can never be held too ſacred and inviolable by men of that profeſſion.

Lord Colcheſter, ſon to the earl of Rivers, was the firſt officer who deſerted to the prince; and he was accompanied by a few of his troops. Lord Lovelace reſolved to follow his example: but he was intercepted by the militia under the duke of Beaufort, and taken priſoner. Lord Cornbury, ſon to the earl of Clarendon, was more fortunate. He endeavoured to carry over four regiments of cavalry; and he actually brought the greateſt part of them to the prince's quarters.

Lord Churchill made a like attempt with ſome troops of dragoons, and ſucceſsfully accompliſhed his purpoſe. This nobleman had been raiſed from the rank of a page, had been inveſted with a high command in the army, had been created a peer, and had owed his whole fortune to the king's boun-

ty. His desertion, therefore, as it was less expected, was considered as more inexcusable than that of any other: but he probably thought that no favour, which a prince can bestow, can ever impose such an obligation on a subject, as to render it his duty to obey him in every thing, particularly in effecting the ruin of his country. He was attended by colonel Berkley, and the duke of Grafton, natural son to the late king.

James had lately repaired to Salisbury, the head-quarters of his army, with a view of opposing the progress of the prince, but he no sooner heard of these desertions, than he altered his mind; and resolved to draw off the remaining forces, and retire towards London. Andover was his first stage in his march to the capital; and there prince George, together with the young duke of Ormond, Sir George Hewet, and some other persons of distinction, deserted him in the night-time, and withdrew to the prince's camp. The princess Anne, being informed of this circumstance, pretended fear of the king's displeasure, and accordly retired, in the company of the bishop of London and lady Churchill. She fled to Nottingham, where she was received with great respect by the earl of Dorset,

and

and the gentry of the county, who immediately raiſed a troop for her protection.

The late king, in order to ſatisfy the nation, had brought up his neices in the ſtricteſt principles of the Proteſtant religion; and as thoſe princeſſes were conſidered as the chief ſupport of the eſtabliſhed faith after their father's apoſtacy, great pains had been taken to inſpire them, from their earlieſt infancy with the ſtrongeſt prejudices againſt Popery.

Though this circumſtance may, in ſome meaſure, account for the princeſſes behaviour, it had no way prepared the king to expect ſo aſtoniſhing an event. He burſt into tears, when he received the effecting news: "God help me," cried he, in the extremity of his grief, "my own children "have forſaken me." The king, it might be owned, was, at this time, a real object of pity and compaſſion: even his unhappy prejudices, which were the original cauſe of all his misfortunes, ſeem rather to merit pity than hatred: but then it muſt be allowed, that they rendered him totally unfit for the high ſtation, in which he was placed.

The news which he received from all quarters, contributed to increaſe that terror and conſternation, with which he was, at preſent, overwhelmed. Colonel Capley,

deputy-govenour of Hull, made himself master of that important fortress; and committed to prison lord Langdale, the governour, a Catholic; together with lord Montgomery, a nobleman of the same religion.

The towns of Newcastle admitted lord Lumley, and declared for the prince, a free parliament. The duke of Norfolk lord lieutenant of the county of that name, and espoused the same cause. The prince's declaration was read in Oxford by the duke of Ormond, and heartily approved by that university, who likewise complimented the prince with an offer of their plate. A new declaration was published in the prince's name, said to be his third declaration, but without his knowledge or consent; where every one was required to apprehend and punish all Papists, who, contrary to law, presumed either to carry arms, or exert any act of civil authority.

It may not be improper to observe, that a merry ballad, called Lilliballero, being published at this time in derision of the Catholics, and the Irish, was greedily received by the people, and was universally sung by men of all orders, even by the king's army, who were strongly infected with the national spirit. This incident both discovered,

vered, and helped to augment, the general discontent of the nation.

"A hue and cry after father Peters," was publickly cryed and sold in the streets, though that person was a member of the privy-council. A legal impeachment against the earl of Salisbury, "for infringing the most sacred laws of the kingdom, "by turning Papist," was presented to the grand-jury of Middlesex, who found the bill. In a word, every thing seemed to tend to a total overthrow of the Catholic party, and of that unhappy prince, who had ruined himself in support of their cause.

In these distressful circumstances, the king convened the few Protestant lords spiritual and temporal who happened to be at London, and emplored their advice. They unanimously exhorted him immediately to assemble a parliament; to publish a full and absolute pardon in favour of all those, who had joined the prince of Orange; to dispatch deputies to treat with him about an accommodation; and to deprive all Catholics of public employments, whether civil or military.

He instantly ordered the Catholics to issue writs for other elections: he published a proclamation, importing, that all peers and commons should be at liberty to vote or

be

be elected without distinction, whether they had or had not declared for the prince of Orange: he deprived Hales, a Catholic, of the lieutenancy of the Tower, and bestowed that post upon colonel Skelton; and he appointed the marquis of Hallifax, the earl of Nottingham, and lord Godolphin, to treat with the prince of Orange, who furnished them with safe-conducts.

These deputies had an audience of the prince at Hungerford; where they delivered their master's proposals in writing. These were, that the settlement of the nation should be left to the decision of a free parliament, which he had accordingly summoned to meet; and that, in the mean time, the two armies should be kept at an equal distance from London.

The prince on the other hand, proposed, that all Papists should be disarmed and deprived of their employments, which they possessed: that all proclamations against himself should be recalled; and if any persons had been imprisoned on account of their attachment to him, they should instantly be set at liberty: that, for the greater security of the city, the government of the laws should be committed to the lord mayor: that if the king should think proper to reside in London during the session

ſeſſion of parliament, the prince ſhould likewiſe reſide in the ſame place with an equal number of guards; or that he and the king ſhould reſide at an equal diſtance from London: that the two armies ſhould be removed thirty miles from the city; and that no new forces ſhould be brought into the kingdom: that Tilbury-fort ſhould be put in the hands of the city-magiſtrates: that in order to prevent an invaſion from abroad, the fortreſs of Portſmouth ſhould be intruſted to the charge of ſome perſon, equally agreeable to the king and the prince: and that, till the meeting of parliament, part of the revenue ſhould be aſſigned for the maintenance of the prince's army.

The king, having peruſed theſe propoſals, ſaid, that they were more moderate than he expected. He aſſembled the noblemen, who were in London, in order to conſult about the preſent ſituation of affairs. Addreſſing himſelf to the earl of Bedford, "my lord," ſaid he, "you are a "good man; have great influence; and "can do me ſignal ſervice." "Alas!" replied the earl, "I am a feeble old man, "very incapable of performing any conſi- "derable ſervice: but I had a ſon," he added with a ſigh, "who, if now alive,

"could

"could ſerve your majeſty in a more ef-
"fectual manner." He alluded to lord Ruſſel, who, towards the end of the late reign, had fallen a ſacrifice to the king's (then duke of York's) vengeance. James was ſo thunderſtruck with this anſwer, that he remained for ſome time ſpeechleſs.

Every thing now ſeemed to aſſume a favourable aſpect: and the king, notwithſtanding the great misfortunes, which he had lately ſuffered, and the ſtill greater calamities, with which he was threatened, might entertain the pleaſing and agreeable hope, not, indeed, of effecting his arbitrary deſign, which, if properly conſidered, could be as little advantageous to himſelf as to the kingdom; but of enjoying his crown at leaſt, on ſome tolerable and eaſy conditions; ſuch as might be conſiſtent with the general happineſs and welfare of the nation.

All theſe expectations, however, were entirely blaſted by the ſelfiſh and intereſted advice of his Popiſh counſellors. They knew, that ſhould the king wait the meeting of a free parliament, they themſelves would be the firſt ſacrifices to national reſentment, and that perpetual baniſhment, was the ſmalleſt penalty which they could expect to ſuffer. They were therefore deſirous

ſirous of carrying the king along with them; whoſe preſence, they hoped, would ſtill be ſome reſource and protection to them in foreign countries; and whoſe reſtoration, ſhould it ever happen, would reinſtate them in power and authority.

With this view they employed all their eloquence in order to perſuade his majeſty to retire to the court of France. They repreſented, that nothing ſhort of a total extirpation of the Catholic religion, would ſatisfy the demands of a free parliament: that ſuch a meaſure, ſhould the king comply, would expoſe him to the indelible reproach of prefering his temporal to his eternal intereſt: that ſhould he conſent to an entire abolition of whatever he had done for the advancement of Popery, it would be in vain, ever after, to think of eſtabliſhing it in England; whereas a ſlight interruption would be attended with no bad conſequence; the work, upon his reſtoration, might be reſumed afreſh, and proſecuted with greater vigour and certainty than ever: and that it was more eligible to undergo a ſhort exile in the court of a great and generous prince, who was both able and willing to reſtore him, than to live in his own kingdom, expoſed to contempt and deriſion, poſſeſſed only of the ſha-

ſhadow of royalty, and ſubject to the controle of thoſe, whom he ought to command.

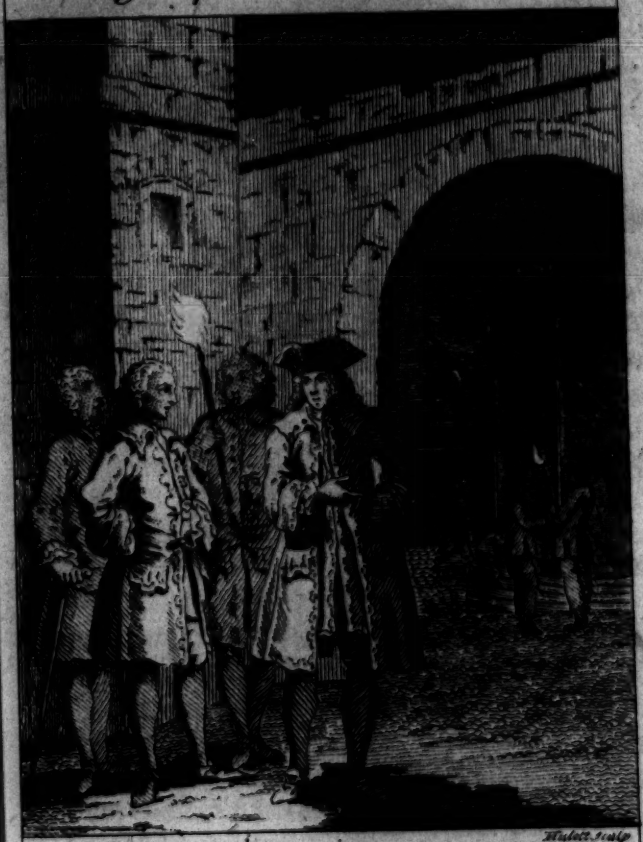
Whether it was, that the king was really inflamed by theſe arguments; or that he was unwilling to ſubmit to the conditions, which, in all likelihood, would have been impoſed by a free parliament; or finally, as ſome ſuppoſe, that he was afraid of his perſonal ſafety: certain it is, he embraced the reſolution of withdrawing from the kingdom, and of ſending the queen and his ſon before him.

On the tenth of December, the queen croſſed the river with her infant in an open boat, expoſed to the wind and rain; and waited in the fields at Lambeth, until Lawzune procured a coach for her accommodation. In this vehicle ſhe travelled to Graveſend, where ſhe embarked in a ſmall veſſel, which conveyed her in ſafety to Calais. From thence ſhe repaired to Verſailles, and was received by Lewis with great cordiality and friendſhip.

On the twelfth of the ſame month, the king himſelf diſappeared in the night-time, accompanied only by Sir Edward Hales, a new convert; and haſtened to a ſhip, which waited for him at the mouth of the river. As if this meaſure had not been moſt agree-

able

King JAMES embarks in a Frigate for FRANCE.



Engraved for Riders History of England.

able to the nation, of any which he could embrace, he had carefully concealed his intention from all the world; and nothing could equal the ſurprize, which ſeized the city, the court, and the kingdom, upon the diſcovery of this ſtrange event.

The more effectually to unhinge the whole machine of government, the king named not any one who ſhould, in his abſence, conduct the affairs of the public: he threw the great ſeal into the river; and he revoked all the writs, which he had iſſued, for the elections to a new parliament. It was even pretended, that the ſole motive which puſhed him to this ſudden deſertion, was his unwillingneſs to meet a free parliament, and his reſolution not to yield to thoſe conditions, which the people would think neceſſary for the protection of their liberties and religion.

By this temporary diſſolution of government, the populace were now entirely maſters; and proceed to wreak their vengeance on every thing which gave them offence. They roſe in a tumult and demoliſhed all the maſs-houſes. They even attacked and robbed the houſes of the Florentine envoy and Spaniſh ambaſſador, where many Catholics had depoſited their moſt valuable effects. Jefferies, the chancellor, who had

diſguiſed himſelf, in order the better to favour his eſcape, was ſeized by them, and treated with ſo much ſeverity, that he died in a little time afterwards.

Never miſcreant ſurely deſerved better a public puniſhment at the hands of juſtice; though no lover of order and good government can approve of the manner in which the penalty was now inflicted. Even the army, which ſhould have prevented thoſe diſorders, would, it was feared, ſerve rather to encreaſe them. Feverſham was no ſooner informed of the king's retreat, than he diſbanded the troops which were in the neighbourhood, and without either paying or diſarming them, let them looſe to pillage and plunder at pleaſure.

In this exigency, the biſhops and peers who were in town, being the ſole remaining authority of the ſtate, thought proper to meet together, and to exert their endeavours for the public ſafety. They elected the marquis of Hallifax their ſpeaker: they gave directions to the mayor and aldermen for preſerving the peace of the city: they ſent orders, which were readily obeyed, to the fleet, the army, and all the garriſons: and they made application to the prince, whoſe undertaking they highly approved, and whoſe aſſiſtance they earneſtly ſollicited.

While

While every one imagined, that the king had actually fled to the Continent, news arrived, that he had been ſeized by the populace at Feverſham, while he was making his eſcape in diſguiſe; that he had been very ill treated, till he was known; but that the gentry had then interpoſed and ſecured him from inſult, though they would by no means conſent to his leaving his kingdom. This intelligence threw all parties into confuſion. The prince ſent orders to the king, commanding him to approach no nearer than Rocheſter: but the meſſage arrived too late. He had already returned to London, where the populace, touched with compaſſion for his unhappy fate, and influenced by their own levity, had received him with ſhouts and acclamations of joy.

While the king reſided at Whitehall, little regard was ſhown him by the nobility or any perſons of diſtinction. They had all of them been previouſly diſguſted on account of his blind attachment to the Catholics; they were ſenſible, that, by their late applications to the prince of Orange, they had rendered a reconciliation totally impracticable. He himſelf diſcovered not any ſigns of ſpirit, nor any intention of reſuming the reins of government, which he had once relinquiſhed. Nothing therefore remained for the now ruling powers

but to consult about the most proper means of disposing of his person; and after some deliberation, it was resolved to push him into that measure, which, of himself, he seemed sufficiently willing to embrace.

The king having sent lord Feversham on a message to the prince, desiring a conference for settling the affairs of the nation, that nobleman was arrested under pretext of his wanting a passport: the Dutch guards were ordered to take possession of Whitehall, where the king then resided, and to turn out the English; and Hallifax, Shrewsbury, and Delamere, were sent by the prince at midnight, to acquaint his majesty, that he behoved to quit his palace next morning, and retire to Ham, a seat of the dutchess of Lauderdale's. He begged permission, which he easily obtained, to withdraw to Rochester, a town near the sea-coast. It was plainly perceived that the stratagem had succeeded; and that the king, alarmed at this harsh treatment, had renewed his former resolution of departing the kingdom.

The king lingered, however, for a few days at Rochester, under protection of a Dutch guard, and seemed to wish that he might still be invited to keep possession of the throne. He was no doubt convinced, that as he had, at first, trusted too much to his people's loyalty, and in confidence of their

their unlimited ſubmiſſion, he ventured to invade their religion and liberty; ſo had he at laſt, on diſcovering his error, gone too far into the other extreme, and had raſhly concluded them to be deſtitute of all ſenſe of duty and allegiance. But finding, that the church, the nobility, the gentry, the whole nation concurred in forſaking him, and abandoning him to his own councils, he yeilded to his melancholy fate; and being preſſed by frequent letters from the queen, he privately embarked in a frigate he had beſpoke, and arrived ſafely at Ambleteuſe in Picardy, from whence he repaired to St. Germains.

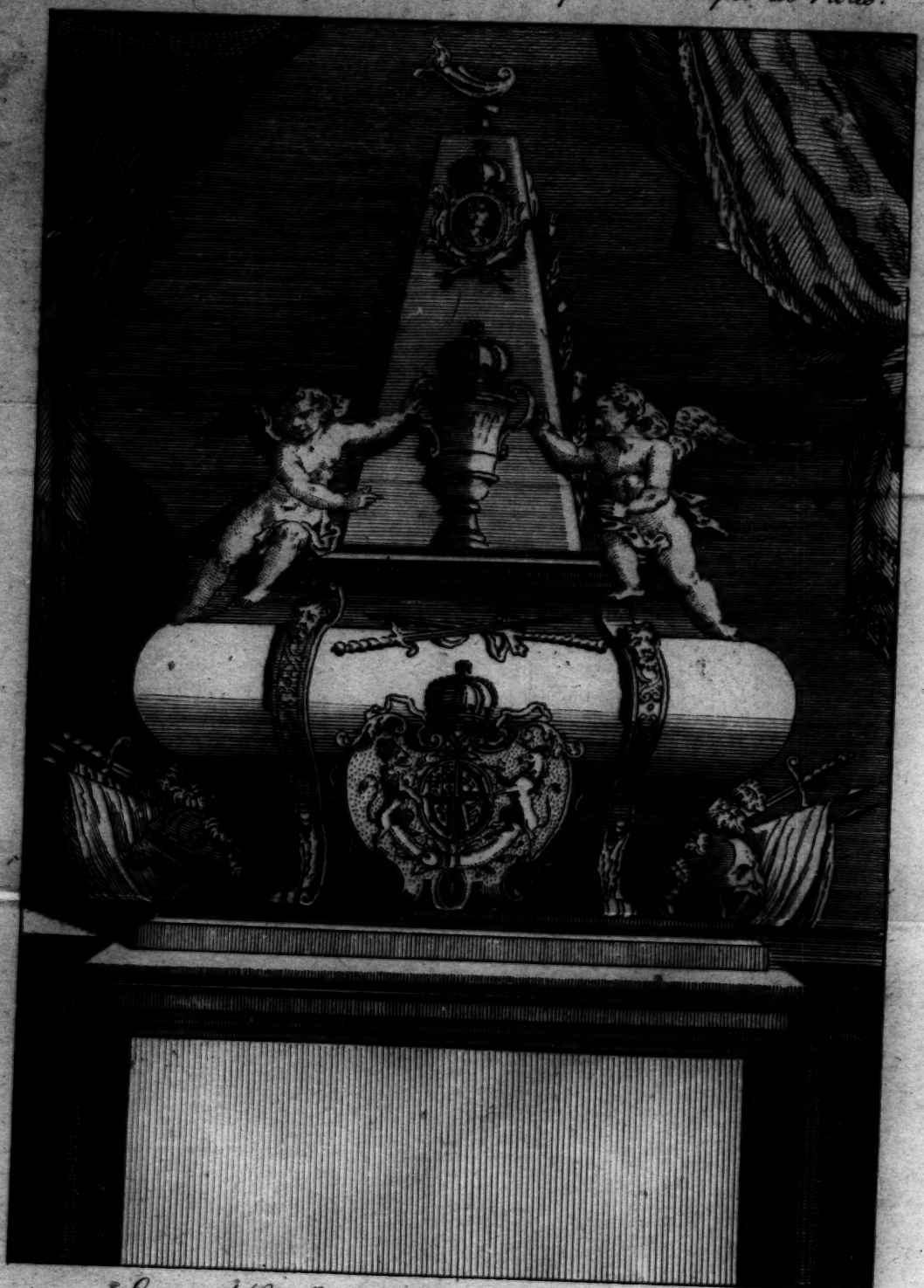
Lewis gave him a kind and friendly reception: a conduct, to be ſure, which does ſome honour to his generoſity; but which, after all, was but a poor return for thoſe ſignal favours which he himſelf had received from that family; who, by their unhappy attachment to the French nation, had, for a number of years, been gradually forfeiting the affections of their own ſubjects.

Thus ended the reign of a prince, who, had he been born in a private ſphere, might probably have proved a very uſeful and induſtrious ſubject, but was altogether unqualified for that high ſtation, in which he was placed. Bigotry and obſtinacy ſeem to have

been the two principal ingredients in his character. Transported with the most furious zeal for the propagation of the Catholic faith, he was determined, if not by persuasion, at least by force, to impose it on the consciences of his Protestant subjects. Desirous of erecting a despotic government, he was resolved, at all hazards, to effect his favourite design; but being as headstrong as arbitrary in his temper, he prosecuted the work with too much ardour: by his rash and precipitant measures, he excited the fears, and, at last, the opposition of his free-born subjects, and, by that means, saved them from that slavery and subjection, to which, by a prince of a more policy and address, they might unhappily have been reduced.

The End of the TWENTY SEVENTH VOLUME.

The Monument of JAMES II. in ye Scotch Chapel at Paris.



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